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No. 191.

AN ACT

To establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith.

ARTICLES.

I. SCHOOL DISTRICTS.
II. SCHOOL DIRECTORS.
III. ORGANIZATION, MEETINGS, AND OFFICERS OF BOARDS OF SCHOOL DIRECTORS.
IV. DUTIES AND POWERS OF BOARDS OF SCHOOL DIRECTORS.
V. TAXATION AND FINANCE.
VI. GROUNDS AND BUILDINGS.
VII. BOOKS, FURNITURE, AND SUPPLIES.
VIII. SCHOOL DIRECTORS' ASSOCIATIONS.
IX. STATE BOARD OF EDUCATION.
X. SUPERINTENDENT OF PUBLIC INSTRUCTION.
XI. COUNTY, DISTRICT AND ASSISTANT SUPERINTENDENTS.
XII. TEACHERS AND SUPERVISING PRINCIPALS.
XIII. CERTIFICATION OF TEACHERS.
XIV. PUPILS AND ATTENDANCE.
XV. MEDICAL INSPECTION AND HYGIENE.
XVI. SCHOOL TERMS AND COURSES OF STUDY.
XVII. HIGH SCHOOLS.
XVIII. JOINT SCHOOLS.
XIX. VOCATIONAL AND OTHER SPECIAL SCHOOLS.
XX. STATE NORMAL SCHOOLS.
XXI. TEACHERS' INSTITUTES.
XXII. SCHOOL DISTRICTS OF THE FIRST CLASS.
XXIII. STATE APPROPRIATIONS.
XXIV. TEACHERS' RETIREMENT FUNDS.
XXV. PUBLIC SCHOOL LIBRARIES.
XXVI. AUDITING OF SCHOOL FINANCES.
XXVII. STATE SCHOOL FUND.
XXVIII. MISCELLANEOUS.

Section 1. Be it enacted, &c., That a public school system be, and hereby is, established in the Commonwealth of Pennsylvania, subject to the provisions of this act, as follows:—

ARTICLE I.

SCHOOL DISTRICTS.

Section 101. Each city, incorporated town, borough, or township in this Commonwealth, now existing or hereafter created, shall constitute a separate school district, to be designated and known as the "School District of.....;" and the several school districts thus established shall be, and hereby are, divided into four classes, as follows:— School districts.

Miscellaneous
printed matter

First class.

Section 102. Each school district having a population of five hundred thousand (500,000), or more, shall be a school district of the first class.

Second class.

Section 103. Each school district having a population of thirty thousand (30,000), or more, but of less than five hundred thousand (500,000), shall be a school district of the second class.

Third class.

Section 104. Each school district having a population of five thousand (5,000), or more, but of less than thirty thousand (30,000), shall be a school district of the third class.

Fourth class.

Section 105. Each school district having a population of less than five thousand (5,000), shall be a school district of the fourth class.

Basis of computation.

Section 106. The last United States census, as set forth in the official report thereof, shall be the basis on which the population of the several school districts shall be computed, and no change shall be made from one class of school districts to another except after the taking of a United States census, showing the population of any school district to be such as to entitle it to be changed from one class of school districts to another.

Change of district to another class.

Section 107. After the taking of each United States census, the Superintendent of Public Instruction shall canvass the same so far as it relates to the population of the several school districts in this Commonwealth, and if it appears that the population of any school district in this Commonwealth, by such census, is such that it should be included in another class of school districts, the Superintendent of Public Instruction shall issue a certificate to such district to that effect, and such school district shall with the beginning of the first school year after such certificate is issued, become a school district of the class to which it properly belongs.

Independent districts abolished.

Section 108. From and after the beginning of the first school year, as herein provided for the school districts herein established, all independent school districts as they now exist shall be abolished, and the lands comprising the same shall revert to the school districts hereby established in which they are located, and all land heretofore taken from one school district and annexed to another, whether by act of Assembly or order of court, or otherwise, be and hereby is made a part of the school district hereby established in which such land is located, so that the boundary lines of the several school districts as established by this act shall be conterminous with the boundary lines of the several cities, incorporated towns, boroughs, and townships in this Commonwealth, as they then exist or may hereafter be created, changed, or extended: Provided, That independent school districts may be created as hereinafter provided.

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Time when change goes into effect.

Section 109. If any new school district is made by the creation of any city, borough, township, or independent school district, or if the boundary lines of any school district are changed, by reason of the changing of the boundary lines of any city, incorporated town, borough, township, or independent school district, then, in such case, such change, so far as it relates to school districts or school affairs, shall take effect at the beginning of the first school year after such new city, borough, township, or independent school district has been created, or such change in boundary lines permanently effected.

Where districts are divided or consolidated.

Section 110. Where any independent school district is abolished and its land reverts to two or more school districts, or where any land heretofore annexed to one school district is made a part of the district in which it is located, or where a new district is made by the creation of a new city, borough, township, or independent school district, out of one or more school districts, or where the boundary lines of any district are changed by the changing of the boundary lines of any city, incorporated town, borough, township or independent school district, then, in any such case, the school districts to which land has been annexed or from which land has been taken, or which have been newly created, shall make a just and proper adjustment and apportionment of all school property, real and personal, including funds, as well as indebtedness, if any, to and among such school districts. The indebtedness of any independent school district hereby abolished, whose land is wholly within the boundaries of any school district hereby established, shall be assumed and paid and all its personal property acquired by such school district.

Adjustment and apportionment of property and indebtedness.

Method of adjustment.

Section 111. In making such adjustment and apportionment of property and indebtedness, the amount and assessed value of land acquired by or taken from such districts, as compared with the amount and assessed value of the other land in the districts, as well as the value of the school grounds, together with the buildings thereon, and the furniture and equipment therein, and other school property in such districts, shall be taken into consideration in making such adjustment of the amount, if any, that shall be paid by one district to another, or in the apportionment of the indebtedness, if any, that shall be assumed and paid by any of said districts. Such adjustment and apportionment of property and liability shall be made by the boards of school directors of the several districts concerned, before or during the first school year after such boundaries have been changed.

School directors to make adjustment.

When directors cannot agree.

Section 112. In case the boards of school directors of said several school districts cannot make such amicable apportionment and adjustment of their property

and indebtedness, in compliance with this act, before or during the first school year beginning after any such change in their boundary lines is made, then, in that case, any one of such school districts may, at any time within the succeeding school year, present its proper petition to the court of common pleas of the county in which such school district is located; whereupon the said court shall appoint three disinterested commissioners, residents and taxpayers of said county, not residing in either of the districts whose boundary lines are changed, who, after a hearing, due notice of which shall be given to the several districts interested, as the court may direct, shall make a report to the court, making an apportionment and adjustment, according to the provisions of this act, of all school property, as well as indebtedness, if any, to and among the several school districts from which or to which land has been taken or added, or newly created, as the case may be; said report to state the amount, if any, that shall be due and payable from one district to another, as well as the amount of indebtedness, if any, that shall be assumed by any district.

Petition to court.

Court to appoint commissioners.

Who shall report to the court.

Section 113. The aforesaid commissioners shall give the several districts interested at least five days' notice of the filing of their report, and unless exceptions are filed thereto by any district interested within thirty (30) days after the filing thereof, the same shall be confirmed by the court absolutely; and any sum awarded by said report to any school district shall be a legal and valid claim in its favor against the school district charged therewith; and the amount of debt, if any, apportioned to any school district shall be a legal and valid claim against such district charged therewith; and upon such report being confirmed, such claim or indebtedness charged against any school district may be collected in the same manner as a judgment is collected against any school district. Such commissioners shall be allowed three dollars ($3.00) per day for each day actually spent by them in the performance of their duties, together with their actual necessary expenses. All costs and expenses of such proceedings shall be apportioned by the court, to and among the several school districts, as it shall deem proper.

Commissioners shall give notice of filing of report.

Compensation of commissioners.

Costs and expenses.

Section 114. In case exceptions are filed to the report of such commissioners, the court shall dispose of the same, taking testimony therein, if it deems advisable, and the decision of the court thereon shall be final and binding on the several districts, without any right of appeal.

In case exceptions are filed to report.

Section 115. In cases in which such districts are situated in two or more counties, the court of common pleas of the county in which the largest part in area of the land annexed to or taken from any district is

Where districts are situated in two or more counties.

situated, shall have exclusive jurisdiction over the matter, and in such case the court may appoint the commissioners, hereinbefore provided for, from any one or all of such counties.

Creation of new district.

Section 116. Whenever a new school district is created by the creation of a new city, borough, township, or independent school district, the clerk of the courts, or other proper officer, shall, within ten days thereafter, make a certified copy of the decree or order creating such new city, borough, township, or independent school district, and mail the same to the Superintendent of Public Instruction.

Petition to establish independent district.

Section 117. After the approval of this act, a majority of the taxable inhabitants of any contiguous territory in any school district or school districts, as herein established, may present their petition to the court of common pleas of the county in which such contiguous territory, or a greater part in area thereof, is situated, asking that such territory shall be established as an independent school district, which petition shall set forth a proper description of the boundaries of the territory to be included in such proposed independent school district, and the desire of the petitioners for better school facilities than are or would be provided and maintained by the district or districts of which such proposed independent school district is a part; whereupon said court, after a hearing, of which hearing the school district or districts out of whose territory such proposed independent school district is to be taken shall have ten (10) days' notice, after taking into consideration the welfare of the pupils and taxpayers of such school district or school districts, as well as such proposed independent school district, may make a decree establishing an independent school district and fix the boundaries thereof, which may be more or less than those set forth in such petition. Where the territory described in any such petition is to be taken from two or more school districts, such petition shall be signed by a majority of all the taxable inhabitants of the part of each school district which is to be included in such independent district. The said court shall also determine the amount, if any, of the indebtedness of the school district, from whose territory such independent district is taken, that it shall assume and pay: Provided, That in case any such independent district so created shall include the territory of any former independent school district abolished by this act, having any indebtedness, such indebtedness shall be assumed and paid by such newly created independent school district. Any independent district thus created shall belong to the class of school districts herein provided to which it is entitled to belong by its population, as determined by the last United States census.

Costs and fees.

In all cases where such proceedings result in the creation, by decree of the court, of a new school district, the costs and office fees shall be paid by said new district; but, if otherwise, said costs and office fees shall be paid by the petitioners themselves.

Court may abolish independent districts.

Section 118. Any independent school district, established as herein provided, may be abolished at any time by the court of common pleas of the county in which its school buildings are located, on the petition of its board of school directors, or on the petition of a majority of the resident taxpayers therein, after hearing, of which due notice shall be given, as the court may direct, to the school district or districts to which its land would revert; and when so abolished, the territory thereof shall become a part of and belong to the several school districts within whose boundaries the same is situated, and its property and indebtedness, if any, shall be apportioned among them as hereinbefore provided.

All districts are vested as bodies corporate.

Section 119. The several school districts in this Commonwealth, established by this act, shall be and hereby are vested, as bodies corporate, with all necessary powers to enable them to carry out the provisions of this act.

School property.

Section 120. From and after the beginning of the first school year following the approval of this act, all the public school property in this Commonwealth, real, personal, or mixed, now held, owned, or possessed by any school district, sub-school district, or ward school district therein, or that may be held, owned, or possessed by any municipality, for the use of any school district or for school purposes, is hereby transferred and assigned to, and shall be owned by and vested in, the proper school district established by this act within whose boundaries such property is situated, except as herein provided, subject to all the trusts, conditions, and liabilities legally applicable thereto. And each school district hereby established shall succeed to and shall assume and pay all the rights, liabilities, and indebtedness of the school district or districts, sub-school districts or ward school districts, within its boundaries, including any and all indebtedness that may have been created or incurred as school indebtedness by any municipality subject to the provisions or this act, for or on account of any such school district or for school purposes, with the benefit of application of the amount of any and all sinking-funds in connection with such indebtedness, to such extent as such sinking-funds shall exist at the time herein fixed as that of the assumption or payment as said indebtedness: Provided, That where any joint schools have heretofore been established, or may hereafter be established, by any two or more school districts, the property of such joint schools shall be held, owned, or occupied by the school

districts provided for by this act, in such proportion and in such manner as the school districts establishing the same have agreed, or may mutually agree upon.

School property transferred.

Section 121. Where any school property, real, personal, or mixed, which is subject to the assumption of payment of any indebtedness, is by the provisions of this act transferred from any municipality holding the same for school purposes to any school district established by this act, and where any indebtedness is herein provided to be assumed and paid by any school district, and the municipality from which such school property is transferred, or whose indebtedness is herein provided to be assumed and paid, and the school district to which the same has been or is to be transferred, cannot agree upon the amount of the indebtedness incurred as school indebtedness, herein directed to be assumed and paid by such school district, or upon the amount of any sinking-fund applicable to such indebtedness, then, in any such case, the said municipality, or any such school district, may, at any time within one year after the approval of this act, present its petition to the court of common pleas of the county in which such municipality or school district is located, which petition shall state the facts regarding such transfer of property, indebtedness, and sinking-fund; whereupon the said court, after hearing and taking such testimony as it may deem necessary, shall determine and adjudicate the amount of indebtedness, if any, that shall be assumed and paid by such district, and the amount of such sinking-fund in existence applicable to its payment. In every case in which it is herein directed that any indebtedness shall be assumed and paid by any school district created hereunder, it shall be lawful for such school district and the municipality or district whose indebtedness, incurred for school purposes, is herein and hereby directed to be assumed and paid, to agree at any time hereafter that the amount of indebtedness, as aforesaid directed to be assumed and paid by such school district, may in whole or in part be paid over by the school district to the municipality or other district whose indebtedness is thus agreed to be assumed and paid, with allowance for the amount of the sinking-fund in existence at the time of the assumption of such indebtedness applicable thereto. In case of such agreement, upon such payment of said net amount of indebtedness, the obligation by the school district to assume and pay such indebtedness shall cease, such payment operating as a discharge of all duty hereunder in connection therewith.

Title to property.

Section 122. Any deed for school property, properly executed and delivered in the name of any school district as established by this act, shall convey to the grantee the entire interest of the grantor in such prop-

erty, irrespective of the manner or name in which such property was conveyed to or acquired by, or is held by, the school district conveying the same.

School districts may sue and be sued.

Section 123. Each school district in this Commonwealth shall have the right to sue and be sued in its corporate name. Any legal process against any school district shall be served on the president or secretary of its board of school directors.

Corporate seal.

Section 124. Each school district in this Commonwealth may, by a majority vote of the members of the board of school directors of such district, adopt a corporate seal for the use of said district; the said seal to have engraved thereon the following: "School District of....., Pennsylvania," and such other inscription or design as the board of school directors may direct.

Taxpayer may testify.

Section 125. No person, on account of being a taxpayer or resident in any school district in this Commonwealth, shall, by reason therof, be incompetent to testify in any suit or action in which such school district is a party.

May hold bequest, gift, etc.

Section 126. It shall be lawful for any school district in this Commonwealth to receive and hold any devise, bequest, grant, endowment, gift, or donation of any property, real, personal, or mixed, which shall be made to said school district or for any of the purposes of this act, which devise, bequest, grant, endowment, gift, or donation shall be administered by or under the direction of the board of directors of the district to which it is made, subject to all the conditions thereto annexed: Provided, however, That the board of school directors in any district shall not be obliged to accept any such devise, bequest, grant, endowment, gift, or donation unless it sees proper so to do. The said board of school directors in such district shall promptly invest, and keep invested as constantly as possible and to the best advantage, such devise, bequest, grant, endowment, gift, or donation if accepted, and the proceeds thereof; and such investment or investments may be made only in bonds legally and properly issued by a school district in this Commonwealth, or in municipal bonds in which savings banks of Pennsylvania are authorized by law to invest their deposits; and all such investments must be first approved by the president judge of the court of common pleas of the judicial district in which such school district is situated. And it shall be the duty of the board of school directors in such district to keep an accurate account of all such devises, bequests, grants, endowments, gifts, and donations, the income arising therefrom, the proceeds thereof, and the expenses of administering the same; and at the end of each fiscal year to render a detailed statement of such devises, be-

quests, grants, endowments, gifts, and donations, held and possessed by such school district, the proceeds thereof, the investments which have been made therewith, the income arising therefrom, the expenses of administration, and the purposes to which the income arising therefrom have been applied; and such statement shall be audited as hereinafter provided for the auditing of school finances.

ARTICLE II.

SCHOOL DIRECTORS.

School directors.

Section 201. The public school system established by this act shall be administered by a board of school directors in each school district, to be elected or appointed as follows:—

Districts of first class.

Section 202. In each school district of the first class, the judges of the courts of common pleas of the county in which such school district is situated, shall, in October, one thousand nine hundred and eleven (1911), appoint a board of fifteen (15) school directors as follows: Five for two years, five for four years, and five for six years; and in October of every second year thereafter shall appoint five members for six years. Their term of office shall begin on the second Monday of November next following their appointment.

Second class.

Section 203. In each school district of the second class, there shall be nine (9) school directors elected at large, at the municipal election held in November, one thousand nine hundred and eleven (1911), three for two years, three for four years, and three for six years; and biennially thereafter, at each municipal election, three school directors shall be elected at large, for terms of six (6) years. Their terms of office shall begin on the first Monday of December following their election.

Third class.

Section 204. In each school district of the third class, there shall be seven (7) school directors elected at large, at the municipal election held in November, one thousand nine hundred and eleven (1911), two for two years, two for four years, and three for six years: and thereafter they shall be elected as follows: At each of the first two municipal elections, two school directors shall be elected; at the third municipal election, three shall be elected; and thereafter two school directors shall be elected at each of the two succeeding municipal elections, and three at each third municipal election; all to be elected at large, for terms of six years. Their terms of office shall begin on the first Monday of December following their election.

Fourth class.

Section 205. In each school district of the fourth class, there shall be five (5) school directors elected at large, at the municipal election held in November, one thousand nine hundred and eleven (1911), two for

two years, two for four years, and one for six years; and thereafter they shall be elected as follows: At each of the first two municipal elections, two school directors shall be elected; at the third municipal election, one shall be elected; and thereafter two school directors shall be elected at each of the two succeeding municipal elections, and one at each third municipal election; all shall be elected at large, for terms of six (6) years. Their terms of office shall begin on the first Monday of December following their election.

Independent districts.

Section 206. Every independent school district, established as herein provided, shall have its affairs—except as to the election of school directors, who shall be appointed, as hereinafter provided—administered by a board of school directors, subject to all the provisions of this act relating to the class of school districts to which such independent district belongs. And the court establishing such independent school district shall, at the time of so doing, appoint a board of properly qualified residents of the district, of like number and for the same terms as is herein provided for such class of districts; and, in November of every odd year, such court shall appoint the proper number of directors for the full term of six years, whose terms shall begin on the first Monday of December following their appointment, and any vacancy in such board shall be filled by the court for the unexpired term.

Eligibility of directors.

Section 207. Any citizen of this Commonwealth, having a good moral character, being twenty-one (21) years of age or upwards, and having been a resident of the district for at least one (1) year prior to the date of his election or appointment, shall be eligible to the office of school director therein: Provided, That any person holding the office of mayor, chief burgess, county commissioner, district attorney; city, borough, or township treasurer; city councilman, township commissioner, road supervisor, tax collector, comptroller, auditor, or constable,—shall not be eligible as a school director in this Commonwealth.

Proviso

Who is not eligible.

Section 208. Any person who has held any office of trust or profit under the laws of the United States or of this Commonwealth, or in any county, city, borough, or township therein, and has been removed therefrom for any malfeasance in office, shall not be eligible to the office of school director.

Present directors to continue in office until successors are organized.

Section 209. All school directors, school comptrollers, or members of boards of education, who are holding office in any school district at the time this act goes into effect, shall continue to act in their respective districts until the directors provided for in this act have duly qualified and organized as herein provided. After the boards of school directors herein provided have organized as herein required, such organizations shall

administer the affairs of their respective school districts.

On creation of new district court to appoint.

Section 210. When a new school district is hereafter formed by the creation of a new city, borough, or township, the court of common pleas having jurisdiction shall determine and enter in its decree the class of school districts to which such new district shall belong, and shall appoint a board of school directors for such new school district, which shall serve until the first Monday of December next following the first municipal election occurring more than thirty (30) days after the formation of such new school district.

Election in new districts.

Section 211. At the first municipal election occurring more than thirty (30) days subsequent to the formation of such new school district, a board of school directors for such district shall be elected or appointed, in the same manner as the school directors of districts of the same class were first elected or appointed after this act went into effect: Provided, That such school directors shall be elected or appointed for such terms that the number and terms of those whose places are to be filled at each succeeding municipal election shall be the same as the number and terms of those whose places are filled at the corresponding election in other school districts of the same class.

Proviso.

When a district enters a new class.

Section 212. When any school district in this Commonwealth hereafter, for any cause, becomes a school district of another class, as herein provided, a new board of school directors shall be appointed or elected therein, in the same manner as the school directors of districts of the same class are elected or appointed when new districts are created: Provided, That such school directors shall be so elected that the number and terms of those whose places are to be filled at each succeeding municipal election shall be the same as the number and terms of those whose places are filled at the corresponding elections in other school districts of the same class.

Proviso.

In case of tie vote for director.

Section 213. In case it should occur at any election that two (2) or more candidates for school director receive the same number of votes for the same office, the said persons shall in such manner as they see fit decide which of them shall be entitled to the office for which they received an equal number of votes, and in case they fail so to do and to file with the president or secretary of the board of school directors in said district, within twenty (20) days after the election, a paper signed by all the candidates receiving the same number of votes, stating which of said persons shall hold said office, then, in that case, the office for which they were candidates shall be vacant, and the board of school directors organizing in December following such election shall during the month of December fill such

vacancy by the appointment of an eligible person, but none of the parties who had received an equal number of votes for such office shall be eligible for such vacancy.

Vacancy in districts of the first class.

Section 214. In case any vacancy shall occur in any board of school directors in any school district of this Commonwealth, by reason of death, resignation, removal from the district, or otherwise, such vacancy shall, in a school district of the first class, be filled for the unexpired term by the court of common pleas of the county in which such school district is situated; and in a school district of the second, third, and fourth classes, the remaining members of the board of school directors shall, by a majority vote thereof, fill such vacancy within thirty (30) days thereafter. In a district of the second, third, or fourth class the person selected to fill such vacancy shall hold his office, if the term thereof so long continues, until the first Monday of December after the first municipal election occurring more than thirty (30) days after his appointment; at which election an eligible person shall be elected for the remainder of the unexpired term: Provided, That if, by reason of a tie vote or otherwise, such vacancy shall not have been filled by the board of school directors as is herein provided, within thirty (30) days after such vacancy shall have occurred, the court of common pleas of the proper county, upon the petition of ten or more resident taxpayers, shall fill such vacancy by the appointment of a suitable person for the unexpired term.

Vacancies in other classes.

Section 215. In case vacancies should occur whereby the offices of a majority of the members of any board of school directors, other than the board of school directors of a school district of the first class, should become vacant, the remaining members shall fill such vacancies one at a time, giving the new appointee such reasonable notice of his appointment as to enable him to meet and act with the then qualified members of the board in making further appointments, until a majority of the board has been secured, when the said majority shall fill the remaining vacancies at a meeting attended by the majority of said board, such appointees to receive a majority of the votes of the members present at any such meeting. The persons selected to fill such vacancies shall hold their offices, if the terms thereof continue so long, until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment, at which election eligible persons shall be elected to fill the unexpired terms.

Vacancy of entire membership.

Section 216. If at any time vacancies should exist or occur in the membership of all the members of any board of school directors in any school district of this Commonwealth, other than a school district of the first class, the court of common pleas of the county in which such district, or the largest part in area thereof, is located, shall appoint a board of properly qualified per-

sons who shall serve until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment; at which election a board of school directors for such district shall be elected in the same manner as the school directors of the districts of the same class were first elected after this act went into effect; but such school directors shall be so elected that the number and terms of those whose places are to be filled at each succeeding municipal election shall be the same as the number and terms of those whose places are filled at the corresponding elections in other school districts of the same class.

Failure to organize.

Section 217. If the board of school directors in any district in this Commonwealth shall fail to organize as hereafter provided, or refuse or neglect to perform any duty imposed upon it by the provisions of this act, any ten resident taxpayers in said district may present their petition in writing, verified by the oath or affirmation of at least three of them, to the court of common pleas of the county in which such district, or the largest part in area of it, is located, setting forth the facts of such refusal or neglect of duty on the part of such school directors; whereupon the said court shall grant a rule upon said school directors, the same to be made returnable in not less than ten or more than twenty days from the date of issue thereof, to show cause why they should not be removed from office; of which rule the said school directors shall have at least five days' notice. On or before the return day of such rule the said school directors, individually or jointly, shall file in writing their answer or answers to said petition, under oath; and if the facts set forth in said petition presented by said taxpayers, or any material part thereof, be denied, the court shall then hear the several parties on such matters as are contained in said petition; and if on such hearing, or if when no answer is filed denying the facts set forth in said petition, the court shall be of the opinion that any duty imposed on said board of school directors, which is by the provisions of this act made mandatory upon them to perform, has not been done or has been neglected by them, the said court shall have the power to remove said board, or such of its number as in its opinion is proper, and appoint for the unexpired terms other qualified persons in their stead, subject to the provisions of this act.

Procedure to remove from office.

Director removed not eligible.

Section 218. Any person so removed from the office of school director shall not be eligible again as school director for the period of five (5) years thereafter.

Costs.

Section 219. The court shall impose the costs of such proceedings upon the petitioners, or upon the school directors, or upon the school district, or may apportion the same among them as it shall deem just and proper.

Refusal or neglect to qualify.

Section 220. If any person elected or appointed as school director, who has been notified of his election or appointment, shall refuse or neglect to qualify as such director, within ten days next succeeding the beginning of his term of office, the remaining members of the board may declare his office as director vacant.

Refusal or neglect to attend meetings.

Section 221. If any person having qualified as school director shall neglect or refuse to attend two successive regular meetings, unless detained by sickness, or prevented by necessary absence from the district, or if in attendance at any meetings shall neglect or refuse to act in his official capacity as a school director, the remaining members of the board may declare his office as director vacant.

Returns of election.

Section 222. The number of votes cast for the several candidates for school directors in all school districts in this Commonwealth at any election shall be returned by the election officers, as provided by law, and the clerk, prothonotary, or other proper authority, shall, within ten days thereafter, under seal of the court, certify the result of the election to each candidate duly elected, and a duplicate copy of each such certificate shall be mailed to the president of the board of school directors in the district in which such person or persons were elected.

Certificate of election.

Election legal unless contested.

Section 223. Every election of school directors returned by the proper election officers, as required by law, shall be legal unless such election is contested within ten days after the day of election by ten qualified voters of the district, by written objections thereto, stating particularly the reason for contesting such election, which objections shall be filed in the court of quarter sessions of the county in which such election was held, which court is hereby authorized and required, forthwith, to examine into the said contested election and to confirm or set aside the same. If the election of any school director so contested shall be set aside by the court, such vacancy shall be filled, as in case of other vacancies, by the board of school directors organizing on the first Monday of December next following said municipal election, within thirty (30) days after its organization, or after such election has been declared illegal by the court.

Contested election.

Vacancy.

Shall serve without pay.

Section 224. All persons elected or appointed as school directors shall serve without pay except as hereinafter provided, and before entering upon the duties of their office shall take and subscribe to the following oath or affirmation, which may be administered by any one qualified to administer an oath, or as hereinafter provided:—

Oath.

I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that

I will discharge the duties of my office with fidelity; that I have not paid, or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election (or appointment), except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this Commonwealth, or procured it to be done by others in my behalf; that I will not knowingly receive, either directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office, other than the compensation allowed by law.

Bribes.

Section 225. Any school director in this Commonwealth who shall, directly or indirectly, accept or receive any money or any other valuable thing for voting for or against, or for withholding his vote for or against, any appointment or matter or action that shall come before the board or any committee thereof, or before any convention of school directors of which he is a member, shall be guilty of a misdemeanor, and on conviction thereof shall forfeit his office and shall not be eligible again to hold office of any kind provided for in this act, and shall be liable to pay a fine of not less than five dollars ($5.00) or more than five hundred dollars ($500.00), or be sentenced to the county jail for a term of not less than thirty (30) days or more than one year, either or both, as the court may determine.

Misdemeanor.

Penalty.

Director shall not receive pay from, nor be employed by his district.

Section 226. No school director shall, during the term for which he was elected or appointed, be employed in any capacity by the school district in which he is elected or appointed, or receive from such school district any pay for services rendered to the district except as provided in this act.

ARTICLE III.

ORGANIZATION, MEETINGS, AND OFFICERS OF BOARDS OF SCHOOL DIRECTORS.

Beginning of school year.

Section 301. In all school districts of the first class the school year shall begin on the first day of January each year, and in all other school districts in this Commonwealth the school year shall begin on the first Monday of July each year. In school districts of the first class the school directors appointed as herein provided shall meet and organize annually on the second Monday of November, and in school districts of the second, third, and fourth class the school directors regularly elected or appointed shall meet and organize annually on the first Monday of December each year. When a new school district is created, or when the offices of all the school directors of a district become vacant, the school directors appointed by the court, in any such case, shall meet and organize within ten days after their appointment.

Organization of school boards.

Notice to members of time of organization.

Section 302. All members of the board of school directors in every school district in this Commonwealth shall be given five days' notice, by mail, by the secretary of the retiring board, of the time and place of meeting for organization, at which time and place, if a majority be present, an organization shall be effected as follows: In districts of the first class there shall be elected from the hold-over members a temporary president and secretary; and in all other school districts there shall be elected from the hold-over members a temporary president, and the secretary of the board shall act as secretary of such meeting. The certificates of the election or appointment of all new school directors shall be read, and a list of the legally elected or appointed and qualified school directors prepared. If any of the members have not taken and subscribed to the oath of office required by this act, the same may be administered to them by the temporary president: Provided, That on the second Monday of November or the first Monday of December, one thousand nine hundred and eleven (1911), any member of the board may be elected a temporary officer.

Permanent organization.

Section 303. A permanent organization shall then be effected for the ensuing year, as follows:—

First class districts.

In all school districts of the first class, the school directors shall elect a president and a vice-president from their members, and a secretary who is not a member. They shall elect the treasurer of the city constituting such school district of the first class as the school treasurer for such school district for the ensuing fiscal year.

Other classes.

In each school district of the second, third or fourth class, the school directors shall elect from their members a president and a vice-president, and shall annually on the first Monday of July elect a secretary and a treasurer, each of whom shall serve for one year. In school districts of the second class, the secretary and treasurer shall not be members of the board. In districts of the third and fourth class, they may be members of the board. The same person shall not be secretary and treasurer of any board of school directors.

Shall elect secretary and treasurer.

Section 304. The board of school directors in each school district of the second, third, or fourth class, organizing on the first Monday of December after this act takes effect, shall elect a secretary and a treasurer, who shall act until the first Monday in July following, when their successors shall be elected for one year.

Appointees.

Section 305. Each board of school directors may further appoint a solicitor and such other appointees, clerks or employees as it may deem proper, none of whom shall be a member of the board, and shall define their duties and fix their salaries.

Rules.

Section 306. Each board of school directors in this Commonwealth may adopt reasonable rules and regulations for its government and control.

MEETINGS.

Meetings.

Section 307. Each board of school directors in this Commonwealth shall have specified times and places at which it shall hold its meetings, and shall during the school term meet at least once every two months. The meetings for organization, and meetings provided for by any board of school directors at stated times at which such board is required to meet, or any adjournment thereof, shall be called "regular meetings," and all other meetings shall be called "special meetings."

Quorum.

Section 308. A majority of the members of a board of school directors shall be a quorum. If less than a majority is present at any meeting, no business shall be transacted at such meeting, but the members present may adjourn to some stated time: Provided, however, That if there shall be a minority of the board present, because a majority of the seats are vacant, then in such case the minority members at any such meeting may fill vacancies in the manner provided in this act.

Special meetings.

Section 309. No business shall be transacted at any special meeting except that named in the call sent to the members for such special meeting: Provided, That special meetings may be called for general purposes.

Notice.

Section 310. Members shall have reasonable notice of all special meetings, and any board may adopt reasonable rules directing the kind and length of notice of the meetings of the board that shall be given to its members by the secretary.

DUTIES OF PRESIDENT.

The President.

Section 311. The president shall preside at all meetings. He may call special meetings at any time. He shall call a special meeting whenever so requested, in writing, by any three members of the board of school directors, and should he fail or refuse so to do, a special meeting may be called at any time by a majority of the legally qualified and acting members of the board.

Executive officer of board.

Section 312. The president shall be the executive officer of the board of school directors, and as such he, together with the secretary, when directed by the board, shall execute any and all deeds, contracts, warrants to tax collectors, reports, and other papers pertaining to the business of the board, requiring the signature of the president. He shall after the board has acted on and approved any bill or account for the payment of money authorized by this act, sign an order

on the treasurer for the payment of the same: Provided, That in any school district of the first class, the board of school directors may direct that any member or other officer of the board than the president shall approve all school orders. He shall in no case, however, sign any order for any sum, unless the same has first been acted upon and approved by the board, and the amount thereof and the name of the payee properly inserted. The president shall perform such other duties as the board may direct and as pertain to his office.

Section 313. In the absence of the president the vice-president shall act in his stead.

DUTIES OF SECRETARY.

Secretary.

Section 314. The secretary of the board of school directors shall keep a correct and proper record of all the proceedings of the board, and shall prepare such reports and keep such accounts as are required by the provisions of this act, and shall also perform the following duties.

Shall sign orders.

Section 315. He shall after the board has acted on and approved any bill or account for the payment of money authorized by this act, prepare and sign an order on the treasurer for the payment of the same.

Attest.

Section 316. He shall attest, in writing, the execution of all deeds, contracts, reports, and other instruments that are to be executed by the board.

Reports.

Section 317. He shall furnish, whenever requested, any and all reports concerning the school affairs of the district, on such form, and in such manner, as the State Board of Education or the Superintendent of Public Instruction may require.

Have supervision.

Section 318. He shall have general supervision of all the business affairs of the school district, subject to the instructions and directions of the board of school directors.

Be custodian of records.

Section 319. He shall be the custodian of all the records, papers, office property, and official seal of the school district, and at the expiration of his term shall turn the same over to his successor.

Keep accounts.

Section 320. He shall keep correct accounts with each receiver of taxes, school treasurer, or school tax collector of the district, reporting a statement of the same, together with a statement of the finances of the district, at each regular meeting of the board, which statement shall be entered in full upon the minutes.

Furnish bond.

Section 321. Before he enters upon the duties of his office he shall furnish to the school district, for the faithful performance of his duties, a bond, in such amount and with such surety or sureties as may be required of him, and approved by the board of school directors, the cost of which bond may be paid for by the school district.

Section 322. He shall perform such other duties pertaining to the business of the district as are required by this act or as the board of school directors may direct. Other duties.

Section 323. He may receive for his services such compensation as the board shall fix, the amount of which shall be reported annually to the Superintendent of Public Instruction and be printed in his report. Compensation

DUTIES OF TREASURER.

Section 324. The treasurer of each school district shall receive all State appropriations, district school tax, and other funds belonging to the school district, and pay out the same on proper orders approved by the board of school directors, signed, except in districts of the first class, by the president, and, in any school district of the first class, by any other properly authorized person, and attested by the secretary: Provided, That in all school districts of the first class all school orders before being paid by the school treasurer shall be approved by the school controller of such district. Treasurer.

Section 325. The treasurer of every school district of this Commonwealth shall deposit the funds belonging to the school district in the school depository, if any, as directed by the board of school directors, and shall at the end of each month make a report to the school controller, if any, and to the secretary of the board of school directors, of the amount of funds received and disbursed by him during the month. All deposits of school funds by any school treasurer shall be made in the name of the school district. Deposit of funds.

Section 326. Every person elected treasurer of any school district in this Commonwealth, including the city treasurer elected as treasurer of a school district of the first class, shall before entering upon the duties of his office furnish to the school district a proper bond, in such amount and with such surety or sureties as the board of school directors therein may approve, conditioned for the faithful performance of his duties as school treasurer. If any school treasurer is re-elected he shall furnish a new bond for each year. The treasurer's bond may be paid for by the school district. Shall furnish bond.

Section 327. The school treasurer shall settle his accounts annually with the board of school directors for each school year. Shall settle accounts annually.

Section 328. The school treasurer shall perform such other acts and duties pertaining to the district as the board of school directors may direct, or as may be required of him by law, and at the end of his term the school treasurer shall promptly pay over to his succesor in office the balance of any and all money remaining in his hands, and shall deliver to him all Other duties.

books, accounts, and other property of the school district.

Compensation.

Section 329. School treasurers shall be paid such compensation as the boards of school directors of the respective districts may determine. In all school districts of the second, third, and fourth class such compensation shall not exceed two per centum of the amount of funds paid out on school orders: Provided, That no compensation shall be paid to any school treasurer on account of any balance in his hands paid over to his successor. The compensation received by each school treasurer for the preceding year shall be reported annually to the Superintendent of Public Instruction, and be printed in his report.

Bond.

Section 330. The school treasurer shall not enter upon the duties of his office until his bond, with the proper sureties thereto, has been furnished to, and approved by, the board of school directors.

Audit of accounts.

Section 331. The accounts of the school treasurer shall be audited annually as hereinafter provided.

Default.

Section 332. In case any school treasurer shall convert to his own use in any way whatsoever, or shall use by way of investment, any portion of the school funds or school property entrusted to him for safe-keeping or disbursement, or shall prove to be a defaulter, or shall fail to pay a proper school warrant when properly presented, or when legally required to do so, or shall fail to pay said funds or any part thereof to his successor in office, or to any other person authorized to demand and receive the same, or shall receive and accept for his own use any interest or profit on any school funds, or shall fail to account for and pay over to the proper school district any and all interest or profit collected by or paid to him on account of any school funds in his hands, or deposited by him, or shall deposit any of the funds of said school district in any other name than in the name of the school district, then every such act shall be deemed and adjudged to be an embezzlement of so much of said money as shall thus be taken, converted, invested, accepted, collected, used, not paid over, unaccounted for, or wrongfully deposited, and which is hereby declared to be a misdemeanor; and every such treasurer, and every person aiding or abetting, or being in any way an accessory to said acts, or any of them, and being convicted thereof, shall be sentenced to pay a fine for the use of the school district of not less than twenty-five dollars ($25.00), and not more than one thousand dollars ($1,000.00), or be sentenced to an imprisonment of not less than thirty (30) days, or more than five years, either or both, at the discretion of the court, and any school treasurer so convicted shall forfeit his office.

Misdemeanor.

Penalty.

Temporary officers.

Section 333. In the absence of both the president and vice-president, or of the secretary, the board of school directors may elect a president or secretary pro tempore for such meeting only, and the appointment of such temporary officer shall be noted on the minutes of such meeting.

ARTICLE IV.

DUTIES AND POWERS OF BOARDS OF SCHOOL DIRECTORS.

Duties and powers.

Section 401. The board of school directors in every school district in this Commonwealth shall establish, equip, furnish, and maintain a sufficient number of elementary public schools, in compliance with the provisions of this act, to educate every person, residing in such district, between the ages of six and twenty-one years, who may attend; and may establish, equip, furnish, and maintain the following additional schools or departments for the education and recreation of persons residing in said district, which said additional schools or departments, when established, shall be an integral part of the public school system in such school district, and shall be so administered, namely:—

High schools,
Manual Training Schools,
Vocational Schools,
Domestic Science Schools,
Agricultural Schools,
Evening Schools,
Kindergartens,
Libraries,
Museums,
Reading-rooms,
Gymnasiums,
Playgrounds,
Schools for blind, deaf, and mentally deficient,
Truant Schools,
Parental Schools,
Schools for Adults,
Public Lectures,—together with such other schools or educational departments as they, in their wisdom, may see proper to establish:

Proviso.

Provided, That no pupil shall be refused admission to the courses in these additional schools or departments, by reason of the fact that his elementary or academic education is being or has been received in a school other than a public school.

Levy and collect taxes.

Section 402. In order to establish, enlarge, equip, furnish, and maintain any schools or departments herein provided, or to pay any school indebtedness which any school district established by this act is required to pay, or to pay any indebtedness that may at any time hereafter be created by any school district, or

to enable it to carry out any provision of this act, the board of school directors in each school district in this Commonwealth shall be, and hereby is, vested with all the necessary authority and power annually to levy and collect, in the manner herein provided, the necessary taxes required, in addition to the annual State appropriation, and shall have, and be vested with, all necessary power and authority to comply with and carry out any or all of the provisions of this act.

Vote on each action.

Section 403. The affirmative vote of a majority of all the members of the board of school directors in every school district in this Commonwealth, duly recorded, showing how each member voted, shall be required in order to take action on the following subjects:—

Fixing length of school term.

Adopting text-books.

Appointing or dismissing district superintendents, assistant district superintendents, associate superintendents, principals, and teachers.

Appointing tax-collectors and other appointees.

Levying and assessing taxes.

Purchasing, selling, or condemning land.

Locating new buildings or changing the locations of old ones.

Dismissing a teacher after a hearing.

Creating or increasing any indebtedness.

Adopting courses of study.

Establishing additional schools or departments.

Designating depositories for school funds.

Entering into contracts of any kind, including the purchase of fuel or any supplies, where the amount involved exceeds one hundred dollars.

Fixing salaries or compensation of officers, teachers, or other appointees of the board of school directors.

Rules and regulations.

Section 404. The board of school directors in every school district in this Commonwealth may adopt and enforce such reasonable rules and regulations as it may deem necessary and proper, regarding the management of its school affairs and the conduct and deportment of all superintendents, teachers, and other appointees or employees during the time they are engaged in their duties to the district, as well as regarding the conduct and deportment of all pupils attending the public schools in the district, during such time as they are under the supervision of the board of school directors and teachers, including the time necessarily spent in coming to and returning from school.

Rules as to athletics and games.

Section 405. The board of school directors in every school district of the first or second class shall, and in every district of the third or fourth class may, prescribe, adopt, and enforce such reasonable rules and

regulations as it may deem proper, regarding the management, control, or prohibition of exercises, athletics, or games of any kind, taken part in or played by any pupils as members of or in connection with any public school, and regarding the organization, management, supervision, control, or prohibition of school publications, and of organizations or societies of the members of any class or school, and may provide for the suspension, dismissal, or other reasonable penalty in the case of any superintendent, teacher, appointee, employee, or pupil who violates any of such rules and regulations.

Removal of officers and employes.

Section 406. The board of school directors in any school district in this Commonwealth, except as herein otherwise provided, shall after due notice, giving the reasons therefor, and after hearing if demanded, have the right at any time to remove any of its officers, employees, or appointees for incompetency, intemperance, neglect of duty, violation of any of the school laws of this Commonwealth, or other improper conduct.

Surrender of property by removed officers.

Section 407. On the removal by the board of school directors of any officer, employee, or appointee, such officer, employee, or appointee shall surrender and deliver to the secretary, or other person designated by the board, any and all papers, property, and effects of the school district in his hands at the time of such removal.

Visits.

Section 408. The board of school directors shall exercise general supervision over the schools of their respective districts, and shall, except in districts having district superintendents or supervising principals, by one or more of their number visit every school in the district at least once a month, and shall cause the report of such visit to be entered on the minutes of the board.

Powers.

Section 409. In every school district the board of school directors created under the provisions of this act shall succeed to, and shall have and possess, all the powers, rights, and privileges, not inconsistent with this act, which the present existing board of school directors, board of school controllers, or board of public education, in its respective district, now lawfully has.

ARTICLE V.

SCHOOL FINANCES.

Finances.

Section 501. All taxes required by any school district in this Commonwealth, in addition to the State appropriation, shall be levied by the board of school directors therein.

Taxes.

Section 502. There shall be but one levy of school taxes made in each school district in each year, which shall be assessed, levied, and collected for all the purposes provided in this act, and shall be uniform throughout the territorial limit of each school district,

Collection of taxes.

Section 503. Every school district in this Commonwealth may, in addition to the present manner and remedies provided by law for the collection of school taxes, maintain an action in assumpsit for the collection of any unpaid school taxes, before any magistrate, justice of the peace, or alderman, or in any court of record; and to any judgment obtained for such taxes there shall be added a penalty of ten per centum, together with costs of suit, upon which judgment an execution may be issued without any stay of execution, and no defendant in any such judgment shall have the right to any exemption of property levied upon to collect the same.

Taxes in new districts.

Section 504. In case a new school district is created after the taxes have been assessed and levied in the district out of which it is partly or wholly created, but before the beginning of the school year therein, then, in such cases, all the taxes assessed and levied in said year by the board of school directors, on the property or residents within the limits of the new school district, shall be collected by the tax collector of the district out of which the new district was created, and all such taxes collected on property or from residents within the limits of the new school district shall be paid over by him to the treasurer of such new school district.

Indebtedness.

Section 505. In order to adjust and equalize the payment of any indebtedness of any school district, subschool district, or ward school district, existing at the time of the approval of this act, and which is assumed by any district hereby established, such district may refund any part or all of such indebtedness assumed by it, and issue refunding bonds therefor, which shall become due and payable within thirty years after the approval of this act.

SCHOOL BONDS.

May create indebtedness and issue bonds.

Section 506. The board of school directors in any school district in this Commonwealth, in any year, in order to purchase or acquire proper sites or grounds for school buildings, or any lands additional to any present school sites or grounds, or to erect, enlarge, equip or furnish any school building, or to repair or rebuild any new or old building, or in order to pay or refund any existing indebtedness of any school district, or to pay any indebtedness incurred by any municipality for or on account of any school district or for school purposes, as is herein required to be assumed by any school district hereby established, or to refund as herein authorized to any municipality the amount of any such indebtedness, may create and incur an indebtedness against any such school district, and issue bonds to secure the same, for any and all such pur-

poses, or may create and incur an increase of any existing indebtedness against any such school district, for any or all such purposes, to any amount that the total indebtedness of such school district, including the indebtedness of any sub-school or ward school district therein, if any, shall never exceed seven per centum upon the assessed value of the taxable property for school purposes therein; such indebtedness or increase of indebtedness shall be incurred, and bonds issued therefor, only at the time of assessing and levying the annual school taxes.

When payable.

Section 507. All bonds issued by any school district in this Commonwealth after the approval of this act shall be made payable and become due at stated periods, not exceeding thirty years after the date thereof, and the school district issuing the same shall, in its annual tax levy, provide, in such manner and at such times as it may determine, for the payment thereof within thirty years with interest: Provided, That any school district hereafter issuing any bonds may provide therein for its right to anticipate the payment thereof at such stated times as it may deem proper.

CERTIFICATES OF INDEBTEDNESS.

Temporary debt

Section 508. Any school district having no indebtedness or whose indebtedness is less than two (2) per centum of the total valuation of the taxable property for school purposes therein, may at any time, by or through its board of school directors, incur, in addition to any bonds herein authorized, a temporary debt, or borrow money, which in school districts of the first and second class shall not exceed two-tenths of one (1) per centum, and in school districts of the third and fourth class one-half of one (1) per centum, of the total amount of taxable property in such school district, and issue an obligation therefor, under the seal of the district, if any, properly attested by the president and secretary thereof, payable within two years from the date thereof, and bearing interest not exceeding the legal rate, but no such obligation shall be sold at less than par: Provided, That the incurring of any such temporary debt, or borrowing money upon such obligation, shall receive the affirmative vote of not less than two-thirds of the members of the board of school directors therein: Provided, further, That the total amount of all indebtedness in any school district issuing such obligations shall not, at any time, including all such obligations, exceed two per centum of the total valuation of taxable property therein: Provided, further, That all such obligations, issued by any school district as herein provided, shall be paid by the district on or before coming due, and shall not be extended or renewed: Provided further, That any school district incurring any temporary debt and issuing such

Obligations for.

Proviso.

Proviso.

Proviso.

Proviso.

obligations, in the manner herein provided, shall provide from its current revenue for the payment of the same.

SCHOOL DEPOSITORIES.

Depositories.

Section 509. The board of school directors in any school district in this Commonwealth may designate one or more banks or trust companies as a depository or depositories for its school funds. No such depository shall be named unless it receives a majority of the votes of the entire school board elected or appointed in such district, and such depository before receiving any of the school funds shall furnish a proper bond, in such amount and with such surety or sureties as may be required, to be approved by the board of school directors, and conditioned upon the faithful keeping, paying out, and accounting for of all the school funds and property of said school district that may come into its hands, as well as for the payment of all interest on money deposited in such depository in accordance with any contract made by it with said school district. The funds of the school district shall be deposited, as directed by the board of school directors, in such depository, by the school treasurer, in the name of the school district; and after any funds have been deposited with such regularly designated depository by any school treasurer, he shall thereafter be relieved from all liability therefor, and all school orders, drawn on the school treasurer for any funds so deposited by him, shall be endorsed by the said treasurer and made "Payable at ....depository of the School District of .....": Provided, That no school district in this Commonwealth shall deposit with any designated depository any amount in excess of thirty-three and one-third per centum of the total capital stock and surplus of such depository.

Proviso.

Duties of depository.

Section 510. Every bank or trust company designated as a depository for school funds in any school district in this Commonwealth shall at the end of every month make a report to the school treasurer, to the board of school directors, and to the school controller, if any, stating the amount of school funds deposited with it during the month, together with the balance on hand at the beginning of the month, as well as the amount of school funds disbursed by it during the month, any accrued interest paid or due, and the balance remaining, on hand at the time of making the report.

SCHOOL ORDERS.

Payments.

Section 511. All payments made by the board of school directors of any school district from the school funds shall be made by proper school orders drawn on

the treasurer. No school order shall be authorized by the board, or signed by the president or secretary of any board of school directors, unless there are sufficient funds in the treasury of the district to pay the same, and no school order shall be made payable at any time in the future, or draw interest. A separate school order shall be drawn for each account or payment: Provided, That the monthly payroll of teachers, janitors, or other employees may be included in one or more orders, which may be made payable to the order of such person or persons, and distributed in such manner as the board of school directors in any school district may determine.

Proviso.

Section 512. The board of school directors of every school district in this Commonwealth shall annually, through its proper officers, furnish to the incoming board of school directors all necessary information and such detailed statements as may be needed by it to provide for the annual tax levy and to prepare the annual estimate of expenditures.

Directors shall furnish information to new board.

Section 513. The amount of funds in any annual estimate made by any school district in this Commonwealth, at or before the time of levying the school taxes, which is set apart or appropriated to any particular item of expenditure, shall not be used for any other purpose or transferred, except by resolution of the board of school directors, receiving the affirmative vote of two-thirds of the members thereof.

Transfer of funds.

Section 514. If any judgment is obtained against any school district in this Commonwealth, and the same is not paid as required, then, in such case, the same may be collected as follows and not otherwise:

Collection of judgment.

The plaintiff in any such judgment shall petition the court of common pleas in which such judgment was obtained, or in which any transcript of a judgment obtained against any school district before any magistrate, alderman, or justice of the peace, is filed, whereupon the said court shall issue a writ in the nature of a mandamus execution, directed to the directors and treasurer of the school district against which such judgment was obtained, commanding them to pay the amount of such judgment, together with interest and costs, out of any unappropriated funds of such school district, and in case there be no unappropriated funds of such school district, then out of the first funds that shall be received by said school district, and the said court may enforce obedience to such writ by attachment on proper cause being shown.

Plaintiff shall petition Court.

Mandamus by Court.

Section 515 While proceedings are pending in court for the changing of any boundary lines of any city, incorporated town, borough, or township, or the creation of any new city, borough, or township, the board of school directors in every school district to be affected by such change of boundary lines, or creation of a new

While proceedings are pending in change of boundary lines.

Taxes shall not be levied or assessed.

municipality, shall not levy or assess any school tax or incur any debts for the purpose of purchasing ground or building, or enlarging a school building:

Proviso.

Provided, That this section shall not prevent the levying and collecting of the necessary taxes, or the incurring of an indebtedness, in order to rebuild a school building recently injured or destroyed, or in order to pay any debts previously incurred.

Payments may be made as herein provided.

Section 516. The board of school directors in every school district in this Commonwealth shall have the right to use and pay out, in the manner herein provided, any funds of the district for any and all of the purposes herein provided, subject to all the provisions of this act.

Illegal payments.

The use or payment of any public school funds of any school district in this Commonwealth, in any manner or for any purpose not provided in this act, shall be illegal.

Directors liable for illegal payments.

Section 517. Any school director voting for, or any officer approving, a school order for the payment of school funds for any other purpose, or drawn in any other manner, than that provided in this act, shall, together with the surety or sureties on his bond, in addition to the penalty herein provided, be individually liable to the district for the amount thereof.

SINKING-FUND.

Sinking-fund.

Section 518. Any school district in this Commonwealth established by this act, which assumed, and is hereby required to pay, any school indebtedness existing at the time of the approval of this act, may establish a sinking-fund for the purpose of liquidating the same.

Committee.

Section 519. The sinking-fund in any school district establishing the same shall be under the supervision of a sinking-fund committee, composed of the president, treasurer, and one additional member of the board of school directors to be designated by it. All the funds appropriated to such sinking-fund shall be deposited

Depository.

in such designated depository as offers the best rate of interest, security, and safety; which funds shall be kept in a special account, and shall be used only to liquidate the school indebtedness existing at the time of the approval of this act, and interest thereon, and are to be paid out by the district on school orders which shall first be approved by a majority of the members of the sinking-fund committee.

Investment of money.

Section 520. The board of school directors in any school district establishing a sinking-fund shall, upon the recommendation of the sinking-fund committee, invest any money of the sinking-fund in any proper bonds issued by the United States, the State of Pennsylvania, or by any county, city, borough, township, or school district in this Commonwealth, or in any bonds in which savings banks of Pennsylvania are authorized by law to invest their deposits, and not otherwise.

Custody of bonds.

Section 521. All bonds purchased by any school district with its sinking-fund shall be, until disposed of by the board, in the joint custody of the sinking-fund committee and the board of school directors.

Transfer of sinking-fund.

Section 522. The custody of any sinking-fund created by and existing in any school district for the liquidation of school loans at the time this act takes effect, which was established to pay any indebtedness incurred for school purposes, shall be transferred to the sinking-fund committee herein provided.

FIRST CLASS SCHOOL DISTRICTS.

Fiscal year.

Section 523. In all school districts of the first class in this Commonwealth the fiscal year shall begin on the first day of January in each year.

Levy of taxes.

Section 524. In all school districts of the first class the school taxes for the following fiscal year shall be levied annually, by the board of school directors thereof, on or after the second Monday of November and before the first Monday of December following.

Total tax levy.

The total annual school tax levy, made in any one year by any school district of the first class, shall not be less than five nor more than six mills on the dollar of the total assessment of all property assessed and certified for taxation therein.

Property assessed for school tax.

Section 525. In all school districts of the first class in this Commonwealth, the school taxes shall be levied and assessed upon the same property as that upon which the municipal taxes of the municipality comprising such school district of the first class are levied and assessed.

Estimated statement of total assessment to be made annually.

Section 526. In order to enable the boards of school directors in all school districts of the first class to levy the necessary school taxes for each school year, there shall be certified to the board in each district of the first class, annually, before the first day of November of each year, by the board or bureau of assessors, board of revision of taxes, or other proper authorities in municipalities comprising school districts of the first class, an estimated statement of the total assessment of all real estate and property taxable for municipal purposes, for the ensuing year, all of which real estate and property is hereby made taxable for school purposes in each school district of the first class.

Amount of levy shall be certified to proper authorities.

Section 527. Upon any school taxes being levied by the board of school directors in any school district of the first class, the amount of such levy shall forthwith be properly certified, under the seal of the district, attested by the president and secretary of the board, to the board or bureau of assessors, board of revision of taxes, or other proper authority, authorized to prepare the tax duplicates, to be entered thereon, and by said authority properly certified to the receiver of taxes, city treasurer, or other proper authority collecting the

Collection of taxes.

municipal taxes in said district, which school taxes shall then be collected as herein provided, at the same time, in the same manner, and with like authority, and subject to the same discounts and penalties as other taxes are therein collected.

Receiver of taxes to furnish bond.

Section 528. Every receiver of taxes, city treasurer, or other authority in a school district of the first class, who is by the provisions of this act authorized to collect or receive the school taxes therein, shall before entering upon the duties of his office as collector or receiver of school taxes furnish to the school district a bond, in such amount and with such surety or sureties as the board of school directors may approve, conditioned upon the faithful performance of his duty in the office of such collector or receiver, the cost of which bond shall be paid by the said school district.

Compensation of receiver.

Every such treasurer or receiver of school taxes shall be paid such compensation as the board of school directors in the district may determine, and in addition to his salary be furnished by the school district with the necessary stationery and books required by him in the performance of his duties as treasurer or receiver of school taxes; and said board of school directors may also appoint, annually, such clerks as it may deem necessary to assist the said receiver of taxes.

Refusal to furnish bond.

In case any receiver of taxes, or city treasurer elected as receiver of taxes or as a school treasurer in a school district of the first class, shall refuse or neglect to furnish a proper bond as herein provided, after his election, then, in that case, the board of school directors in the said district may elect any other proper person as receiver of said school taxes or school treasurer.

Shall make report monthly.

Section 529. In every school district of the first class the receiver of taxes, city treasurer, or other proper authority collecting or receiving the school taxes as herein provided, shall, at the end of each month, report to the board of school directors, and to the school controller, the total amount of school taxes collected during the month, setting forth the years for which collected. He shall pay the same when and as collected to the school treasurer, and shall file with the school controller a duplicate receipt therefor, and shall at the end of each month also report the total amount collected during the current fiscal year, and the unexonerated balance remaining uncollected on the tax duplicate for each year in such district.

Shall make annual statement.

Section 530. The receiver of taxes, city treasurer, or other proper authority collecting or receiving school taxes in any school district of the first class in this Commonwealth, shall, annually, on the first Monday of February each year, settle his accounts for the school taxes for the preceding fiscal year, and shall at the same time furnish the board of school directors

with a statement of the total amount of school taxes standing unpaid upon the tax duplicates.

Unpaid taxes shall be liens.

Section 531. In all school districts of the first class in this Commonwealth, all unpaid school taxes assessed upon any real property shall be liens thereon, in like way and manner, and subject to like provisions and restrictions, as exist and shall exist in the cases of all other taxes assessed in this Commonwealth; such taxes and liens shall be filed, enforced, and collected by the receiver of taxes, treasurer, or other proper authority, in the manner and under and in accordance with the provisions which are and shall be applicable in the cases of other taxes assessed in this Commonwealth.

Annual estimate of funds required.

Section 532. The board of school directors of each school district of the first class shall, annually, at or before the time of levying the annual school taxes, prepare an approximate estimate of the amount of funds that will be required by the school district in its several departments for the following fiscal year. Such annual estimate shall be apportioned to the several classes of expenditures of the district as the board of school directors thereof may determine. The total amount of such estimate shall not exceed the amount of funds, including the proposed annual tax levy and State appropriation, available for school purposes in the district.

Orders.

Section 533. In all school districts of the first class, each school order shall state on its face the particular item of the annual school estimate upon which it is drawn.

Annual estimate shall be certified.

Section 534. In each school district of the first class, the annual estimate of the funds for each current fiscal school year, as made by the board of school directors at or before the time of levying the annual school taxes, shall be properly certified to the school controller of the district by the secretary of the board.

Indebtedness limited.

Section 535. The total indebtedness incurred or created by any school district of the first class, including any indebtedness assumed by it at the time of the approval of this act, shall not exceed two (2) per centum upon the total assessed value of the taxable property in such school district.

SECOND, THIRD AND FOURTH CLASS SCHOOL DISTRICTS.

Fiscal year.

Section 536. In all school districts of the second, third, and fourth class in this Commonwealth, the fiscal year shall begin on the first Monday of July each year.

Assessment of taxes.

Section 537. In all school districts of the second, third, and fourth class, all school taxes shall be levied and assessed by the board of school directors therein, during the month of April or May each year, for the ensuing fiscal year; and in school districts of the

Limitation.

second class shall not exceed twenty mills on the dollar, and in school districts of the third and fourth class shall not exceed twenty-five mills on the dollar, on the total amount of the assessed valuation of all property taxable for school purposes therein: Provided, That each school district of the second, third or fourth class shall also collect the occupation tax on each male resident or inhabitant of such district, over twenty-one years of age, as herein provided.

Second class.

Property that shall be assessed.

Section 538. In all school districts of the second class in this Commonwealth, the school taxes shall be levied and assessed on the real estate and personal property therein, as contained in the assessment made for city tax purposes.

Certified duplicate of last valuation to be furnished by city.

Section 539. In order to enable the board of school directors in all school districts of the second class to levy and assess the necessary school taxes required by such school district each year, the city clerk, or other proper official, shall annually, on or before the first day of April in each year, at the expense of the city, furnish to each school district of the second class for its use, to be retained by it, a properly certified duplicate of the last adjusted valuation of all real estate, personal property, and occupations made taxable in such school district of the second class, stating the name of each taxable, the valuation, description, and kind of property or occupation assessed, all of which real estate, personal property, and occupations are hereby made taxable for school purposes in each such school district of the second class.

Third and fourth classes.

Section 540. In all school districts of the third and fourth class in this Commonwealth, the school taxes shall be levied and assessed upon all the property upon which the county taxes are levied and assessed.

County commissioners shall furnish duplicate of last valuation.

Section 541. In order to enable the board of school directors in each school district of the third or fourth class in this Commonwealth to assess and levy the necessary school taxes required by such district each year, the county commissioners in each county shall, on or before the first day of April in each year, at the expense of the county, furnish to each school district of the third or fourth class therein, for its use, to be retained by it, a properly certified duplicate of the last adjusted valuation of all real estate, personal property, and occupations made taxable for county purposes in such school district, stating the name of each taxable, and the valuation, description, and kind of property or occupation assessed, all of which real estate, personal property, and occupations are hereby made taxable for school purposes in each school district of the third or fourth class.

Occupation tax.

Section 542. Each male resident or inhabitant, over twenty-one years of age, in every school district of the second, third, or fourth class in this Commonwealth, shall, annually, in addition to any tax he may

pay on any real estate or other property, pay for the use of the school district in which he is a resident or inhabitant an occupation tax of at least one dollar.

Occupation tax shall be assessed.

Section 543. In order that the board of school directors of each school district of the second, third, or fourth class in this Commonwealth may assess, levy and collect an occupation tax of not less than one dollar on each male resident or inhabitant, over twenty-one years of age, in the district, it shall be the duty of the proper assessors in each such school district of this Commonwealth to assess every male resident or inhabitant in such school district, over twenty-one years of age, with an occupation, at such amount as shall be proper, and return the same with the other taxable property in the district, as provided by law. In each school district all such assessments of occupation shall be included and certified in the list of taxable property to be certified to the board of school directors in each such school district as herein provided.

One dollar the minimum tax to be paid.

Section 544. In case the occupation of any resident or inhabitant of any school district of the second, third, or fourth class in this Commonwealth, whose name appears upon any tax duplicate therein, is assessed at such an amount that the school tax therein, at the rate fixed by the board of school directors in levying school taxes in that year, is less than one dollar, such resident or inhabitant shall pay a school tax amounting to the sum of one dollar on his occupation, notwithstanding the amount of his occupation assessment.

Advertisement of persons exonerated.

Section 545. The board of school directors of any school district of the second, third, or fourth class may, at the expense of the district, advertise once a week, for not longer than three weeks, in a newspaper of general circulation in the school district, the names of all persons who have been exonerated by said board from the payment of their school taxes.

Tax duplicate

Section 546. In all school districts of the second, third, and fourth class in this Commonwealth, as soon as the school tax is assessed and levied by the board of school directors, the secretary shall compute and enter the same, stating the amount of school tax to be collected on the duplicate herein required to be furnished to the district, a certified copy of which shall then be furnished by the board of school directors to the tax collector in each district. In any school district where the collector of school taxes is also collector of county taxes, the secretary of the board of school directors may compute and add the amount of the school taxes to the duplicate furnished by the county commissioners to such tax collector for county purposes. In

all school districts of the second, third, or fourth class, all tax duplicates shall be furnished, as herein provided, to the tax collector on or before the first Monday of July each year.

Where vacancy exists tax collector shall be appointed.

Section 547. The board of school directors in each school district of the second, third, or fourth class in this Commonwealth, where a tax collector is not elected to collect school taxes, or where there is a vacancy, or where any tax collector elected refuses to qualify or furnish a bond as herein provided, shall, annually, on or before the first day of June in each year, appoint one or more suitable persons as tax collectors in said school district: Provided, That the board of school directors in any school district, appointing any tax collector or tax collectors, may authorize and direct any one tax collector to collect the school taxes in any one or more wards or other proper divisions in such school district.

Collector may appoint deputies.

Section 548. The tax collector elected or appointed in any school district of the second, third, or fourth class, may deputize in writing one or more suitable deputy tax collectors, who when so deputized shall be authorized to collect the school taxes in like manner and with like authority as the tax collector appointing them: Provided, That any tax collector appointing any deputy collector shall be responsible for, and account to the board of school directors for, all taxes collected by said deputy.

Shall be furnished with duplicate and warrant.

Section 549. Each collector of school taxes in every school district of the second, third, or fourth class in this Commonwealth, shall, on or before the first Monday of July in each year, be furnished with his tax duplicate, and a proper warrant, signed by the president and attested by the secretary of the board of school directors, with the corporate seal of said district, if any, attached, authorizing and directing him to collect the school taxes set forth in his duplicate according to law.

Shall give bond.

Section 550. Every person appointed or elected collector of school taxes in any school district of the second, third, or fourth class in this Commonwealth, in addition to any bonds that he may now be required by law to give, and before receiving his tax duplicate and warrant to collect said school taxes, shall furnish to the school district a proper bond, in an amount to be fixed by the board of school directors, with such surety or sureties as it may approve, conditioned upon the faithful performance of his duties as such tax collector. In case any person elected or appointed tax collector shall fail to furnish a proper bond within fifteen days after his appointment, or notice so to do, then, in any such case, the board of school directors shall appoint another suitable person as collector of the school taxes in said district, in his place and stead

who upon giving the proper bond required by the provisions of this act, shall be the duly authorized person to collect the school taxes in said district for the ensuing school year.

Collector shall notify taxables.

Section 551. Every school tax collector in any school district of the second, third, or fourth class in this Commonwealth, shall, within thirty days after receiving his tax duplicate, properly notify by mail, or otherwise, through a printed or written notice, every taxable on his duplicate; such notice to contain the rate of taxation, the valuation of property and occupation assessed, and the amount of school taxes for the current year, and that the same are due and payable, and requesting payment thereof. Such notice shall also designate a definite place in said district, and a stated time or times, where and when the same may be paid: Provided, That the expenses of postage and printing of such tax notices shall be paid by the district.

Power of collector.

Section 552. Every tax collector appointed by the board of school directors in any school district of the second, third, or fourth class, as herein provided, shall, in addition to the authority hereby given him, have the same power and authority to collect the school taxes therein as is or may be given by law to any tax collector.

Shall make report.

Section 553. In all school districts of the second, third, and fourth class in this Commonwealth, every collector of school taxes shall make a written report to the secretary of the board of school directors at the end of every month of the amount of taxes collected by him during the said month, furnishing the names of the taxables from whom the same has been collected. Such tax collector shall at the end of each month pay the full amount of school taxes collected during the month to the school treasurer of the district, and exhibit to the secretary, to be countersigned by him at the time of making such report, the receipt of the school treasurer showing that such amount of taxes as reported has been paid to the school treasurer.

Compensation.

Section 554. In all school districts of the second, third, and fourth class, all school tax collectors shall be paid such commissions or compensation as may be determined by the boards of school directors; such commissions or compensation to be paid by proper orders drawn on the school treasurer, as other accounts are paid by any school district. The total cost of such collection in each district shall be reported annually to the Superintendent of Public Instruction, and shall be published in his report.

Shall return name omitted to assessor.

Section 555. In case the collector of school taxes in any school district of the second, third, or fourth class in this Commonwealth, or any deputy thereof, shall at any time find within the district in which he is collector of school taxes or deputy thereof, any male

resident or inhabitant above the age of twenty-one years, whose name does not appear upon the duplicate of the district, he shall report the name of such person forthwith to the proper assessor or assessors in said school district.

Duty of assessor.

Section 556. In every school district of the second, third, or fourth class in this Commonwealth, where the name of any inhabitant or resident in any school district has been thus furnished to the proper assessor or assessors, then, in any such case, when the school taxes are levied upon the city assessment, the city assessor, or when the school taxes are levied upon the county assessment, the proper assessors, shall forthwith assess such inhabitant or resident, so reported, with an occupation, in a proper amount, and shall promptly certify the same to the city clerk, or other proper official, or to the county commissioners, as the case may be, who shall then promptly certify such name, together with his occupation, to the secretary of the board of school directors of the school district in which such party so assessed resides; whereupon the said secretary shall add the name and assessment of such person to the duplicate of the collector of school taxes in such district, and the proper tax collector shall thereupon proceed to collect the tax assessed against such person as herein provided. In no event however shall less than one dollar be collected from each such person.

Refusal to pay occupation tax.

Section 557. In case any male resident or inhabitant of any school district of the second, third, or fourth class in this Commonwealth, neglects or refuses to pay his occupation tax as herein provided, after having received ten days' notice or demand so to do, the collector of such school taxes shall notify any firm, association, or corporation, where such delinquent taxpayer is employed, that such taxpayer has failed or neglected to pay his occupation tax as required, and such collectors of school taxes may thereupon request the payment of such occupation tax by such employer, out of any money then due and owing, or thereafter to become due and owing, to such delinquent taxpayer; whereupon every person, firm, association, or corporation, employing any such delinquent taxpayer, may deduct, from any wages that are then or may thereafter become due and owing to him, the amount of such delinquent occupation tax, and pay the same over to such collector of school taxes, and the proper receipt for such taxes paid to the tax collector by any employer shall be a good and sufficient voucher to offset any claim that such delinquent taxpayer may have against such employer for any wages to the amount thereof.

May collect from employer.

Duty of employer.

Section 558. If any person, firm, association, or corporation receiving a notice from any school tax

collector requesting the payment of any occupation tax of any employee or employees, deducts, from any wages then due or that may thereafter become due and owing to such employee or employees, the amount of such occupation tax, and fails to pay the same over to the collector of school taxes in any district, within thirty days after making such deduction or deductions, such person, firm, or corporation shall forfeit and pay to the said school district a sum equal to the amount of such occupation tax collected from such employee or employees as aforesaid, which sum, together with costs, may be recovered by the said school district in an action of assumpsit against said person, firm, association, or corporation failing to pay over such tax, as debts of like amount are now recoverable. In the collection of any judgment recovered for any such delinquent occupation tax against any person, firm, association, or corporation, the defendant therein shall not be entitled to the benefit of any exemption, appraisement law, or stay of execution.

Duties of collector.

Section 559. In every school district of the second, third, or fourth class in this Commonwealth, every collector of school taxes shall proceed to collect the taxes set forth in the duplicates furnished to him, and pay the same over at least once every month, as hereinbefore required, and every such collector of school taxes shall fully account for and pay over to the treasurer of the school district, in which he is appointed or elected, the total amount of school taxes appearing upon the tax duplicate furnished to him, on or before the first day of June in each year, less such amount as he may be exonerated from by the board of school directors, and also less such an amount of unpaid taxes as is assessed and levied upon real property in said school district upon which there is no personal property out of which such school taxes might have been or could have been collected.

Delinquent collector shall not be reappointed.

Section 560. In all school districts of the second, third, and fourth class, no tax collector shall be reappointed, or be authorized to collect any school taxes in any school year, unless he shall first have settled his duplicate in full with the board of school directors for the preceding year, in the manner herein provided.

Penalty added after October first.

Section 561. To all school taxes assessed and levied in all school districts of the second, third, and fourth class in this Commonwealth, which are not paid on or before the first day of October in the year in which they are assessed and levied, there shall be added a penalty of five per centum, which shall be collected at the same time as and in addition to the school taxes of which it is made a part. No discounts or rebates shall be allowed on the payment of any school taxes assessed and levied in any school district of the second, third, or fourth class.

Unpaid taxes.

Section 562. In all school districts of the second, third, and fourth class in this Commonwealth, all unpaid school taxes assessed and levied upon real property upon which there is no personal property out of which the same can be collected, shall be certified by the tax collector to the secretary of the board of school directors, together with a proper description of the property upon which the same is levied, on or before the first day of June each year. All delinquent school taxes so certified to the board of school directors in any school district of the second, third, or fourth class, by any school tax collector, shall be collected by said board as provided by law.

Collection of.

Estimate of funds required.

Section 563. The board of school directors of each school district of the second and third class shall, and the board of school directors of each district of the fourth class may, annually, at or before the time of levying the annual school taxes, prepare an approximate estimate of the amount of funds that will be required by the school district in its several departments for the following fiscal year. Such annual estimate shall be apportioned to the several classes of expenditures of the district as the board of school directors thereof may determine. The total amount of such estimate shall not exceed the amount of funds, including the proposed annual tax levy and State appropriation, available for school purposes in that district.

Statement on order.

Section 564. In all school districts of the second and third class, each school order shall, and in all school districts of the fourth class may, state on its face the particular item of the annual school estimate upon which the same is drawn.

Tax territory.

Section 565. The tax duplicate to be certified by the county commissioners, the city clerk, or other proper official to every school district of the second, third, or fourth class, shall, in each proper district, include such territory as is attached to another district, but by the provisions of this act becomes a part of the district in which it is situated, on the first Monday of July, one thousand nine hundred and eleven (1911).

Defaulting collector.

Section 566. In case any tax collector shall convert to his own use in any way whatever, or shall use by way of investment, any portion of the school funds collected by him, or shall prove to be a defaulter, or shall fail to pay the proper school treasurer at such times as are specified in this act, then every such act shall be deemed and adjudged to be an embezzlement of so much of said money as shall thus be taken, converted, invested, collected, and not paid over as specified by this act, and which is hereby declared to be a misdemeanor; and every such tax collector, and every person aiding or abetting, or being in any way accessory to, said acts or any of them, and being duly convicted thereof, shall be sentenced to pay a fine, for the use of the school district, of not less than twenty-

Misdemeanor.

five dollars or more than one thousand dollars, or be sentenced to imprisonment for not less than thirty days or more than five years, either or both, at the discretion of the court, and any such person so convicted shall forfeit his office. Penalty.

ARTICLE VI.

GROUNDS AND BUILDINGS.

Section 601. The board of school directors of each dsitrict shall provide the necessary grounds and suitable school buildings to accommodate all the children between the ages of six and twenty-one years, in said district, who attend school. Such buildings shall be constructed, furnished, equipped, and maintained in a proper manner as herein provided, suitable provisions being made for the heating, ventilating, and sanitary conditions thereof, so that every pupil in any such building may have proper and healthful accommodations. Grounds and buildings.

Section 602. In order to comply with the provisions of this act, and subject to the conditions thereof, the board of school directors of each district is hereby vested with the necessary power and authority to acquire, in the name of the district, by purchase, lease, gift, devise, agreement, condemnation, or otherwise, any and all such real estate, either vacant or occupied, as the board of school directors may deem necessary to furnish suitable sites for school buildings and play grounds for said district, or to enlarge the grounds of any school property held by such district, and to sell, convey, transfer, dispose of, or abandon the same, or any part thereof, as the board of school directors may determine. Acquirement of real estate.

Section 603. No property that has heretofore been acquired by, conveyed or granted to, any school district in this Commonwealth for school purposes, or which may hereafter be acquired by any school district for school purposes, shall be considered as abandoned until the board of school directors of such districts shall pass, by a vote of the majority of the members of the board, a resolution declaring it to be the intention of such district to vacate and abandon the same, whereupon all right, title, and interest of such district in such premises shall be fully terminated. Property abandoned.

Section 604. The location and amount of any real estate required by any school district for school purposes shall be determined by the board of school directors of such district, by a vote of the majority of all the members of such board: Provided, That no new school building shall hereafter be erected without a proper play-ground being provided therefor. Real estate. Play-ground.

Taking of real estate without agreement with owner.

Section 605. Whenever the board of school directors of any district cannot agree on the terms of its purchase with the owner or owners of any real estate that said board has selected for school purposes, such board of school directors, after having decided upon the amount and location thereof, may enter upon, take possession of, and occupy such land as it may have selected for school purposes, and designate and mark the boundary lines thereof, and thereafter may use the same for school purposes according to the provisions of this act.

School funds are security for property so taken.

Section 606. The school funds which may be raised by taxation in any school district shall be pledged, and hereby are made security, to the owner or owners of any property taken for school purposes, for all damages they may sustain on account of the taking of such property by the district for school purposes.

Title.

Section 607. The title to all real estate acquired by any school district in this Commonwealth by condemnation proceedings, as herein provided for, shall be vested in such school district in fee simple.

Eminent domain for school purposes.

Section 608. The board of school directors of any school district may enter upon and acquire any land in said district, either vacant or occupied, that it may require for school purposes, in compliance with the provisions of this act, except the following:

Exceptions.

Any burial-ground, or any land belonging to any incorporated institution of learning, incorporated hospital association, or unincorporated church, incorporated or unincorporated religious association, which land is actually used or held for the purpose for which such burial-ground, institution of learning, hospital, association, church, or religious association was established.

Owners of land so taken may petition Court.

Section 609. When the board of school directors of any district shall enter upon and occupy lands for school purposes, as herein provided, it or the owners of such premises, or any one of them in behalf of all of them, may present a petition to the court of common pleas of the county in which such land is situated, setting forth the facts, giving a description of the premises taken by metes and bounds, and the names of all the owners thereof; whereupon the said court shall appoint a jury of viewers, consisting of three competent and disinterested residents of said county, and shall fix a time for a hearing when they shall view said premises. Said time shall not be less than ten or more than thirty days after their appointment, of which time and place five days' notice shall be given by the petitioners to said viewers and other parties interested. If on account of non-residence, or for any other reason, personal notice cannot be given, notice shall be given of such view by registered letter, or by advertisement, or otherwise, as the court may direct.

Appointment of viewers.

Duties of viewers.

Section 610. At the same time and place fixed for said view, the said viewers, having first been duly sworn or affirmed to perform their duties with fidelity and according to law, shall view and examine the premises so taken by said school district, and, after hearing such parties as may desire to be heard, shall decide and make a true report to said court concerning the matters set forth in such petition and submitted to them, and, taking into consideration the quality and location of and the improvements upon the land so taken and occupied for school purposes as aforesaid, and taking into consideration the damages sustained and the benefits accruing, shall estimate and determine what amount of damages, if any, have been sustained by the owners of such premises by reason of the taking of said land by the school district, and to whom payable, if they can ascertain the legal owners thereof. Such hearing may be adjourned from time to time as such viewers may direct, and the said school district and the parties interested shall have at least five days' notice of the filing of such report. If the actual owner of such premises, or any part thereof, by reason of non-residence or otherwise, cannot be notified, notice of the filing of such report shall be given as directed by the court.

Filing of report.

Appeal from report.

Section 611. If no exceptions are filed to, or appeal taken from, said report by any party interested within thirty days after the filing thereof, the same shall be confirmed absolutely by the court, and the amount awarded therein to any person shall be a valid debt and obligation of said school district, collectible as herein provided.

May pay money into court in certain cases.

Section 612. If on account of any liens existing against such premises, or if the actual owners thereof cannot be found, or if the owners or any of them refuse the amount awarded by such report, or if, for any other reason, the said school district cannot pay the sum awarded for such damages to the persons legally entitled thereto, it may pay the same into court, and thereafter the owners of such premises or its lien creditors shall look to said fund for all damages accruing to them on account of the taking of said property.

Exception to report.

Section 613. If exceptions to said report are filed by any interested party, or if an appeal is taken, the said exceptions or appeal shall be disposed of according to the rules of said court.

Cost and fees.

Section 614. All costs and witness fees in any such case shall be paid by the school district: Provided, That in cases where an appeal is taken by any property owners from the award made by any board of viewers, and the appellant does not recover a verdict for a greater amount that the viewers awarded, the appellant shall pay all costs of such appeal and trial.

Plans for new buildings to be submitted to State Board.

Section 615. After the organization of the State Board of Education provided for in this act, no public school buildings shall be contracted for, constructed, or reconstructed, in any school district of the second, third, or fourth class, until their plans and specifications have been submitted to the State Board of Education, and any recommendations concerning the same by the State Board of Education have been laid before the board of school directors: Provided, When any school building is being constructed or remodeled at the time of the approval of this act, or when a contract has been awarded for the construction or remodeling of any school building, such building may be constructed or remodeled without being subject to the provisions of this section.

Plans to be furnished free by State Board.

Section 616. The State Board of Education shall cause to be prepared and shall, at the expense of the Commonwealth, publish, and upon application furnish, without charge, to boards of school directors, plans and specifications of different kinds of school buildings suited to the needs of the public schools: Provided, That school buildings may be built according to plans and specifications thus furnished, without submitting the same to the State Board of Education.

Awarding of contracts.

Section 617. Every contract in excess of three hundred dollars ($300.00), made by any school district in this Commonwealth, for the introduction of heating, ventilating, or lighting systems, or the construction, reconstruction, or repair of any school building, or work upon any school property, shall be awarded to the lowest and best bidder, after due public notice has been given, upon proper terms asking for competitive bids.

School buildings.

Section 618. All school buildings hereafter built or rebuilt shall comply with the following conditions:

Light area.

In every school room the total light area must equal at least twenty per centum of the floor space, and the light shall not be admitted thereto from the front of seated pupils.

Floor space.

Every school room shall have not less than fifteen square feet of floor space, and not less than two hundred cubic feet of air space per pupil.

Heating stoves.

Section 619. No board of school directors in this Commonwealth shall use a common heating stove for the purpose of heating any school room, unless such stove is in part enclosed within a shield or jacket made of galvanized iron, or other suitable material, and of sufficient height, and so placed, as to protect all pupils while seated at their desks from direct rays of heat.

Ventilation.

Section 620. No school room or recitation room shall be used in any public school which is not provided with ample means of ventilation, and whose windows, when they are the only means of ventilation, shall not admit of ready adjustment both at the top and bot-

tom, and which does not have some device to protect pupils from currents of cold air. Every school room or recitation room shall be furnished with a thermometer.

Fresh air.

Section 621. Every school building hereafter erected or reconstructed, whose cost shall exceed four thousand dollars ($4,000.00), or which is more than one story high, shall be so heated and ventilated that each school room and recitation room shall be supplied with fresh air at the rate of not less than thirty cubic feet per minute for each pupil, and which air may be heated to an average temperature of seventy degrees Fahrenheit during zero weather.

Fireproof construction.

Section 622. All school buildings, two or more stories high, hereafter erected or leased in any school district of the first class in this Commonwealth, shall be of fireproof construction; and in any school district of the second, third, or fourth class, every building more than two stories high, hereafter built or leased for school purposes, shall be of fireproof construction.

Doors shall be made to open outward in all buildings now used.

Section 623. All doors of entrance into any building more than one story high, used for a public school building in this Commonwealth, shall be made to open outward, and the board of school directors of every district in this Commonwealth shall, before the opening of the school term next following the approval of this act, change the entrance doors of every such school building so that they shall all open outward.

And in all hereafter erected.

Section 624. In all school buildings more than one story high, hereafter erected, all entrance doors, as well as all doors from class rooms, school rooms, cloak rooms, or other rooms into halls, shall open outward.

Fire-escapes.

Section 625. Every school building shall be provided with necessary fire-escapes and safety-appliances as required by law.

Grounds.

Section 626. The board of school directors in each school district shall put the grounds about every school building in a neat, proper, and sanitary condition, and so maintain the same, and shall provide and maintain a proper number of shade-trees.

May permit use of for other purposes.

Section 627. The board of school directors of any district may permit the use of its school grounds and buildings for social, recreation, and other proper purposes, under such rules and regulations as the board may adopt, and shall make such arrangements with any city, borough, or township authorities for the improvement, care, protection, and maintenance of school buildings and grounds for school, park, play, or other recreation purposes, as it may see proper, and any board of school directors may make such arrangements as it may see proper, with any association or individual for the temporary use of school property for schools, play grounds, social, recreation, or other proper educational purposes.

Damaging or defacing school property.

Section 628. If any person shall willfully or maliciously break into, enter, deface, or write, mark, or place any obscene or improper matter upon, any public school building, or other building used for school purposes, or other purposes provided for in this act, or any outhouse used in connection therewith; or shall deface, injure, damage, or destroy any school furniture, books, papers, maps, charts, apparatus, or other property contained in any public school building, or other building used and occupied for school purposes, or other purposes provided for in this act; or shall injure, damage, or destroy any shade-trees, shrubbery, fences, or any other property of any kind, upon any public school grounds, or upon any public school play-ground, such person shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than five dollars ($5.00) and not more than two hundred dollars ($200.00), or undergo an imprisonment in the county jail for a period not exceeding six months, either or both, at the discretion of the court.

Penalty.

Flag.

Section 629. The board of school directors in each district shall, when they are not otherwise provided, purchase a United States flag, flagstaff, and the necessary appliances therefor, and shall display said flag upon or near each public school building in clement weather, during school hours, and at such other times as the said board may determine.

Contracts for light, heat or water.

Section 630. The board of school directors in any school district may, in the manner herein provided, enter into any contract with any person, firm, association, or corporation, for the furnishing of light, heat, or water to such school district, for any term not exceeding five years. The amount to become due and payable thereon, under such contract, may be distributed equally during the years over which the same extends, and only so much thereof as becomes due and payable in any one year need be provided for in the annual estimate of school expenses for any school year, and be certified to by any school controller.

School property exempt from taxes.

Section 631. All school property owned by any school district, real and personal, that is occupied and used by any school district for public school, recreation, or any other purposes provided for by this act, shall be, and hereby is, made exempt from every kind of State, county, city, borough, township, or other tax, as well as from all costs or expense for paving, curbing, sidewalks, sewers, or other municipal improvements: Provided, That any school district may make any municipal improvement, in any street on which its school property abuts, or may contribute any sum towards the cost thereof.

Proviso.

Water-closets or out houses.

Section 632. The board of school directors in every district shall, with every building used for school purposes, provide and maintain in a proper manner,

a suitable number of water-closets or outhouses, not less than two for each building, where both sexes are in attendance. Such water-closets or outhouses shall be suitably constructed for, and used separately by, the sexes. When any water-closets or outhouses are outside and detached from the school building, the entrances thereto shall be properly screened, and they shall, unless constructed at a remote distance from each other, have separate means of access thereto, and, if possible, for not less than twenty-five feet from such water-closets or outhouses, such means of access or walks leading thereto shall be separated by a closed partition, wall, or fence, not less than seven feet high.

Disinfection of water-closets.

Section 633. The board of school directors shall keep all water-closets or outhouses, used in connection with any school building, in a clean and sanitary condition, and shall, not less than ten days prior to the openings of any term of school, and oftener if necessary, have them properly cleaned and disinfected by the use of fresh dry-slacked lime, or other proper disinfecting material.

Insurance of property.

Section 634. The board of school directors in every school district shall have full power and authority to make and enter into any contract or contracts it may deem proper with any person, firm or corporation, for the purpose of insuring against loss or damage by fire, or otherwise, any or all of the school buildings or other property of the school district.

ARTICLE VII.

BØOKS, FURNITURE AND SUPPLIES.

Directors shall purchase all supplies.

Section 701. The boards of school directors of each school district in this Commonwealth shall purchase all necessary furniture, equipment, text-books, school supplies, and other appliances for the use of the public schools, or any department thereof, in their respective districts, and furnish the same free of cost for use in the schools in said districts, subject to such rules and regulations regarding the use and safe-keeping thereof as the boards of school directors may adopt. All furniture, equipment, books, school supplies, and other appliances purchased by the board of school directors of any school district in this Commonwealth, for the use of the public schools therein, shall be purchased in the manner provided in this act.

Text-books.

Section 702. Text-books adopted, under the provisions of this act, by any school district of the second, third, or fourth class, shall be continued in use for a period of not less than five years.

When text-books shall be adopted.

Section 703. All school text-books, in school districts of the second, third and fourth class, shall be adopted by the board of school directors at any regular

meeting between the first day of April and the first day of August following. Such books, so adopted, shall be provided for the use of the schools at the beginning of the school term next following: Provided, That if in said school districts there shall be a district superintendent or supervising principal, such district superintendent or supervising principal, shall report in which subjects new text-books are needed, and after consultation with the teachers under his supervision, what text-books should be adopted or changed, and unless by a two-thirds vote of the board an adoption or change of text-books shall not be made without his recommendation: Provided, further, that books, supplementary to text-books regularly adopted, may be adopted and purchased for use in the schools at any time such supplementary books to be adopted in the same manner as text-books are herein required to be adopted.

Proviso.

Use of books during vacation.

Section 704. The board of school directors in any district may allow any pupil in such district the use of school books during vacations, under such rules and regulations as it may adopt.

When this provision takes effect.

Section 705. The provisions of this act, relating to the purchase of school books and supplies by the board of school directors in any school district, shall not take effect until the first Monday of January, one thousand nine hundred and twelve (1912).

Classification of supplies.

Section 706. School supplies shall be divided into two classes. The first class shall include school desks, chairs, typewriters, and school apparatus. The second class shall include maps, globes, and all other supplies, except text-books, necessary for school use, not included in the first class.

Purchase of first class supplies.

Section 707. When it is deemed necessary to purchase desks or other supplies of the first class, costing one hundred dollars ($100) or more, the board of school directors shall solicit sealed quotations from two or more firms, manufacturers, or dealers in such supplies, and at a regular meeting shall open such bids and quotations, and shall accept the lowest bid, when the kinds of supplies offered, and their kind, quality, and character of material, are the same, or are equal or satisfactory: Provided, That any school district may purchase school furniture and other equipment from another district, without asking for competitive bids.

Of second class supplies.

Section 708. All supplies of the second class, costing three hundred dollars or more, shall be awarded and purchased only after public notice has been given by advertisement, published once each week for three weeks in not less than two newspapers of general circulation: Provided, That in any district where no newspaper is published, said notice may, in lieu of such publication, be posted in at least five public places. Such advertisement or notice shall give all necessary

information, or give notice of convenient access thereto, in such manner that bidders can intelligently make bids for such contracts.

The board of school directors shall accept the lowest bid or bids, kind, quality, and material being equal, but shall have the right to reject any and all bids, or select a single item from any bid.

Agent for books or supplies.

Section 709. No person shall act as agent for school books or school supplies, in any district in which he is engaged or employed as a superintendent, teacher, or employee of the school district in any capacity, or in which he was thus employed during the preceding school year.

Bribery by seller.

Section 710. Every person, firm, association, or corporation that shall directly or indirectly, individually or through an agent or representative, give or promise to give to any school director, officer of any school board, superintendent, teacher, or any other person, any sum of money or other valuable thing, or shall make any promise of any appointment or position, in order to secure, procure, or influence the recommendation, adoption, rejection, or purchase of any books, school furniture, or supplies, by any superintendent, teacher, or school district in this Commonwealth, shall be guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine of not less than five dollars ($5.00) or more than five hundred dollars ($500.00), or be sentenced to imprisonment in the county jail for not less than thirty days or more than one year, either or both, at the discretion of the court.

Penalty.

Bribery by school officer.

Section 711. Any school director, officer, superintendent, supervising principal, or teacher, who shall ask for or accept money or other valuable thing for his vote, recommendation, or influence, in order to secure the recommendation, adoption, rejection, or purchase of any school books, school furniture, or other school supplies, from any person, firm, association, or corporation, or any agent or representative thereof, either directly or indirectly, shall be guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine of not less than five dollars ($5.00) or more than five hundred dollars ($500.00), or to be sentenced to imprisonment in the county jail for not less than thirty days or more than one year, either or both, at the discretion of the court.

Penalty.

ARTICLE VIII.

SCHOOL DIRECTORS' ASSOCIATIONS.

Convention of directors.

Section 801. The school directors, in every county in this Commonwealth having a county superintendent of public schools, shall annually be called together at the county-seat or some other suitable place

within said county, by the county superintendent. The purpose of such annual conventions shall be the consideration and discussion, by the school directors and others, of questions and subjects pertaining to the welfare and promotion of the public schools in their respective counties, and such other business as may properly come before such conventions.

Notice to directors.

Section 802. The county superintendents of public schools shall give all school directors in their respective counties at least two weeks' notice, by mail, of the time, place, and hour of the meeting of the association. The county commissioners in every county where such convention is held shall furnish to the school directors of said county, free of charge, the court-house, in proper condition, or some other suitable place, for the purpose of holding such annual convention.

Duty of County Commissioners.

Directors shall attend annual conventions.

Section 803. It shall be the duty of the school directors in each county of this Commonwealth to attend such annual convention of school directors called by the county superintendent, and each school director attending such convention shall receive, for his necessary expenses, the sum of two dollars ($2.00) per day for each day's attendance, and mileage at the rate of three cents per mile for the distance necessary to be traveled in going to and from such convention, once each year. Said amount shall be paid by an order drawn on the treasurer of the school district in which he acts as school director: Provided, however, That no school director shall be paid for more than two days at any annual convention.

Compensation.

Duties at convention.

Section 804. When the school directors have assembled, in such annual convention, they shall elect, from among the directors coming from school districts under the supervision of the county superintendent, the following officers; to wit, a president, two vice-presidents, a secretary and a treasurer, which officers shall serve until the end of the next annual convention of school directors in said county, or until their successors are chosen, and each of said officers shall perform such duties as may be assigned to him and as usually devolve upon such official. Every school director attending such convention shall have the right to vote in the election of said officers.

Executive Committee.

Section 805. The officers of the School Directors' Association in each county shall also act as an executive committee, and as such shall prepare and publish in advance a suitable program and order of business for the next annual convention, securing suitable speakers or lecturers, and other means of instructing the school directors present, and shall perform such other duties as may promote the success of the convention.

Auditor.

Section 806. The School Directors' Association at its annual convention shall elect, each year, a proper person as auditor, who, with the two auditors elected by the county teachers' institute, shall audit the institute accounts as herein provided.

County Superintendent.

Section 807. It shall be the duty of the county superintendent, and of the district and assistant county and district superintendents in the county, to attend such annual conventions, and they shall be members ex officio of the executive committee, and shall render such assistance and aid to the executive committee of such association as may be required of them: Provided, That they shall have no vote in the convention or in approving the selection of assistant county superintendents.

Expenses of convention, how paid.

Section 808. The county treasurer shall pay to the treasurer of such School Directors' Association, from the county funds, the necesary expenses incurred for the holding of such annual convention, including the cost of sending out the notices therefor. The total sum thus paid by the treasurer of any county shall not exceed two hundred dollars ($200.00) for each annual convention: Provided, That no payment shall be made to the treasurer of such School Directors' Association until he shall first have presented to the county treasurer an itemized verified statement of all the expenses connected with such convention, showing when and where the same was held, the number of directors present and the speakers engaged. The treasurer of such directors' association, within thirty days after receiving said payment, shall file with the county treasurer proper vouchers for all such expenses.

Duties of treasurer.

ARTICLE IX.

STATE BOARD OF EDUCATION.

Governor to appoint State Board.

Section 901. Upon the approval of this act, the Governor of this Commonwealth shall, by and with the advice and consent of two-thirds of the Senate, appoint six members of a State Board of Education, one of whom shall be appointed for one year, one for two years, one for three years, one for four years, one for five years, and one for six years; their terms of office to begin on the first day of July, one thousand nine hundred and eleven. The Governor shall annually thereafter appoint a member of said State Board of Education, for the full term of six years, and any vacancy in said board shall be filled for the remainder of the term in the same manner. Three of the appointive members of the State Board of Education shall always be successful educators of high standing, connected with the public school system of the Commonwealth. Members of the State Board of

Terms of office.

Vacancy.

Qualifications of three members.

Payment of expenses.

Education shall serve without any compensation other than the payment of the necessary expenses incurred in the performance of their duties as members of the board.

President.

Section 902. The Superintendent of Public Instruction shall be ex officio a member of the State Board of Education and president thereof.

Powers and duties.

Section 903. The State Board of Education shall have the following powers and duties, subject to the provisions of this act:

Duties.

Section 904. To report and recommend to the Governor and the General Assembly legislation needed to make the public schools of this Commonwealth more efficient and useful.

To equalize educational advantages.

Section 905. To equalize, through special appropriations for this purpose, or otherwise, the educational advantages of the different parts of this Commonwealth.

To inspect and require reports.

Section 906. To inspect, and require reports from the educational work in schools and institutions wholly or partly supported by the State, which are not supervised by the public school authorities: Provided,

Proviso.

That a copy of the report of the inspection of any such institution which may be made to the State Board of Education shall be sent to the head of such institution.

Vocational education.

Section 907. To encourage and promote agricultural education, manual training, domestic science, and such other vocational and practical education as the needs of this Commonwealth may from time to time require.

Sanitary equipment and inspection.

Section 908. To prescribe rules and regulations for the sanitary equipment and inspection of school buildings, and to take such other action as it may deem necessary and expedient to promote the physical and moral welfare of the children in the public schools of this Commonwealth.

Officers of State Board.

Section 909. The State Board of Education shall have such officers as it deems necessary, define their duties, and elect them annually. It shall fix the times of its regular meetings, and the manner of calling special meetings. It shall make its own by-laws and all regulations deemed necessary to carry on the proper work and affairs of the board.

Office in Capitol.

Section 910. The office of the State Board of Education shall be in the State Capitol, and it shall be the duty of the Board of Commissioners of Public Grounds and Buildings to provide it with suitable rooms, properly furnished and cared for.

Meetings.

Section 911. The regular place of meeting of the State Board of Education shall be in the State Capitol, but the board may meet elsewhere when it is deemed necessary to do so.

Power to employ assistance, etc.

Section 912. The State Board of Education shall have the power to employ such assistance and incur such other expense as it finds necessary for the performance of its duties within limits of the appropriation made for its use.

ARTICLE X.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

Superintendent of Public Instruction.

Section 1001. The Superintendent of Public Instruction, provided for in sections one and eight of article four of the Constitution of this Commonwealth shall have supervision of all the public schools of this Commonwealth, as well as the following powers and duties:

Powers and duties.

Sign all orders on the State Treasurer.

Section 1002. He shall sign all orders on the State Treasurer for the payment of such moneys to the treasurers of the several school districts as they may be entitled to receive from the State, and for all other moneys to be paid out of the appropriation for public school purposes.

Prepare blank forms for annual reports.

Section 1003. He shall prepare blank forms for the annual district reports, with suitable instructions and forms for conducting the various proceedings and details of the system in a uniform and efficient manner, and forward the same to the county and district superintendents, who shall distribute them to and among the proper district officers of their respective counties or school districts.

Blanks for all papers.

Section 1004. He shall prepare and furnish to the proper persons suitable blanks and all other papers required by the provisions of this act.

Annual report.

Section 1005. He shall prepare and submit to the Legislature an annual report, containing a full account of the condition of the public schools of the State, the expenditures of the system during the year, the whole number of pupils, the average cost of instruction per pupil, the number of districts, plans for the improvement and maintenance of the system, and all other matters relating to the public schools and to the duties of his office which he may deem it expedient to communicate.

Give advice and information.

Section 1006. He shall, whenever required, give advice, explanations, construction, or information to the district officers and to citizens relative to the school laws, the duties of school officers, the rights and duties of parents, guardians, pupils, and officers, the management of the schools, and all other questions and matters calculated to promote the cause of education.

Classify high schools.

Section 1007. He shall classify the high schools of the State upon the basis of the reports of the directors and the State inspectors of high schools in compliance with the provisions of this act.

Charge of seal of department.

Section 1008. He shall have charge of the seal of the Department of Public Instruction, by which copies of papers deposited or filed therein, and all official acts and decisions, may be authenticated, and when so authenticated they shall be evidence equally and in like manner as the originals.

Shall appoint deputies, etc.

Section 1009. He shall appoint two deputy Superintendents of Public Instruction, also one expert assistant in agricultural education, one expert assistant in industrial education, one expert assistant in drawing, and four inspectors of high schools and other schools, together with such other clerks and employees of the Department of Public Instruction as are now or hereafter may be provided by law, and he shall prescribe their duties. The salary of the Superintendent of Public Instruction and of all the appointees and employes above provided for shall be as fixed by law, and shall be commensurate with the importance of their duties and positions.

Issue commissions.

Section 1010. He shall issue all commissions to superintendents and assistant superintendents of schools in this Commonwealth.

Fill vacancies.

Section 1011. He shall fill all vacancies occuring in the office of county superintendent until the next regular election; but in filling such vacancies he shall give careful consideration to any recommendations concerning them made by the officers of the proper county school directors' associations, within ten days after the vacancies occur.

Prescribe courses of study.

Section 1012. He shall prescribe minimum courses of study for the public schools.

Prepare blank forms.

Section 1013. He shall prepare and furnish to boards of school directors sample blank forms for keeping and reporting school accounts, and sample bonds for their treasurers, secretaries, tax-collectors and depositories, and samples of other bonds or forms required by this act.

Give decisions on school law.

Section 1014. He may, when requested, give decisions and interpretations of the school law, which shall be valid and binding in like effect as law until reversed by proper judicial authority.

Administer oaths.

Section 1015. He may administer oaths or affirmations concerning any matter relating to the affairs or duties of his office.

Make valid teachers certificates.

Section 1016. He may, subject to the provisions of this act, and such rules as he may prescribe, endorse and make valid for teaching in Pennsylvania any permanent or life teachers' certificate from any other State.

May condemn any school building.

Section 1017. He shall have power to condemn as unfit for use, on account of unsanitary or other improper conditions, any school buildings, school site, or outbuilding in this Commonwealth, and upon failure

on the part of the board of school directors to remedy such condition, he shall have power to withhold and declare forfeited all or any part of the annual appropriation apportioned to any such school district.

Print annual report.

Section 1018. He shall have power to print, at State expense, his annual report, or any extracts therefrom, for distribution among school officers and teachers, and such other treatises or investigations on educational subjects as he may deem necessary.

ARTICLE XI.

COUNTY, DISTRICT, AND ASSISTANT SUPERINTENDENTS.

Superintendents.

Section 1101. For the superintendence and supervision of the public schools of this Commonwealth, there shall be elected or appointed, in the manner herein provided, county superintendents, district superintendents, and assistant county and district superintendents.

QUALIFICATIONS.

Character of.

Section 1102. Every person elected or appointed as county, district, or assistant county or district superintendent must be a person of good moral character.

Eligibility.

Section 1103. No person shall be eligible for election or appointment as county, district, or assistant county or district superintendent unless he holds one of the following:

Diploma of college, etc.

A diploma from a college approved by the College and University Council of this Commonwealth;

Of State Normal School.

A diploma issued by a State Normal School of this Commonwealth;

Certificate.

A Teacher's State Certificate issued by this Commonwealth:

Proviso.

Provided, That no person shall be elected or appointed a county, district, or assistant county or district superintendent who has not had successful experience as a teacher within three years, or successful experience as a superintendent of schools: Provided, further, That serving either as county, district, or assistant county or district superintendent, in this Commonwealth, at the time of his election or appointment, shall be considered sufficient qualification for any of the aforesaid offices.

Proviso.

ELECTION OF COUNTY SUPERINTENDENTS.

Election of superintendent.

Section 1104. Every four years there shall be elected as herein provided, in every county in this Commonwealth, a person to be known as the county superintendent.

Method of election.

Section 1105. The school directors of each county of this Commonwealth, in which a county superintendent is to be elected, shall meet in convention at

the county-seat of their county, in the court-house, or some other suitable place to be furnished by the county commissioners at the expense of the county, on the second Tuesday of April, one thousand nine hundred and eighteen (1918), and on the same day of every fourth year thereafter, and, by a majority vote of those present, elect as herein provided one duly qualified person as county superintendent, to serve for four years from the first Monday of May next folowing: Provided, That on the first Tuesday of May, one thousand nine hundred and fourteen (1914), county superintendents shall be elected as herein provided, to serve from the first Monday of June, one thousand nine hundred and fourteen (1914), until the first Monday of May, one thousand nine hundred and eighteen (1918).

Term.

Notice to directors.

Section 1106. It shall be the duty of every person serving as county superintendent of public schools, to give notice of the convention of school directors to be held for the purpose of electing a county superintendent on the second Tuesday in April, one thousand nine hundred and fourteen (1914), and thereafter, which notice shall be published in the county, in at least two newspapers, once a week for three consecutive weeks, the last publication to be at least ten days prior to the date of said convention, said notice to be in the following form:

Election of County Superintendent.

Form of notice.

Notice is hereby given that the school directors of .....County will meet at the ..... in .... on Tuesday, the ..... day of ..... 19.., at ..... o'clock ..... Meridian, for the purpose of electing a legally qualified person as county superintendent of public schools for the ensuing term.

.....
Superintendent of Public Schools.

Cost of notice.

The cost of publishing such notice shall be paid by the Superintendent of Public Instruction, out of the appropriation for the salaries of county and assistant county superintendents.

Organization of convention.

Section 1107. Every convention of school directors, held for the purpose of electing a county superintendent, shall organize by electing a president, a secretary, and at least two tellers from the directors present.

Candidate's eligibility.

Section 1108. No votes for a candidate for county superintendent, at any such convention, shall be counted, unless said candidate has, before the vote is taken, filed with the president thereof a county, district, or assistant county or district superintendent's

commission, which has been issued within the previous four years by the Superintendent of Public Instruction, or such other evidence of eligibility as is required by this act.

List of directors to be furnished to the president.

Section 1109. The county superintendent shall furnish to the president of such convention a correct duplicate list of all the school directors in said county in the districts over which said superintendent has supervision, said list to be arranged alphabetically by districts. And in taking the vote the president or secretary shall call in alphabetical order, by districts, the list thus furnished, and each director present shall, when his name is called, rise and announce the name of the candidate for whom he desires to vote. The tellers shall keep a correct tally of the vote as cast and report the same to the president, who shall announce the vote to the convention.

Viva voce vote.

Certification of election.

Section 1110. It shall be the duty of the president and secretary of each convention of school directors electing a county superintendent, to forthwith certify to the Superintendent of Public Instruction the name and post-office address of the person elected as county superintendent for the ensuing term, together with the number of votes received by him for said office, the names and post-office addresses of, and number of votes received by, the other candidates for said office, the number of directors in attendance at such convention, also the amount of annual salary fixed upon by said convention for the county superintendent so elected, together with the number of votes cast for and against said salary.

Commission to issue.

Section 1111. If no valid objections to the election of a county superintendent be filed with the Superintendent of Public Instruction within fifteen days after his election, a proper commission shall be issued to the person so elected, for the ensuing term, by the Superintendent of Public Instruction, under the seal of his department.

Objections to elections.

Section 1112. If any objections to the election of any county superintendent be filed with the Superintendent of Pubilc Instruction within fifteen days from the date of election, and such objections are signed, among others, by a majority of the members of not less than one-fifth of the boards of school directors entitled to participate in such convention, and such objections are verified by the oath or affirmation of at least three objectors, then, in such case, the Superintendent of Public Instruction shall, at a hearing, inquire into and dispose of such objections. The person whose election is so objected to shall have reasonable notice of the time and place of such hearing, together with a copy of the objections made to his election. At such hearing the Superintendent of Public Instruction may require, under oath or affirmation,

such evidence as he may deem necessary and proper, and he is hereby authorized and empowered to administer the necessary oaths to all witnesses testifying before him.

If objections are sufficient election is void.

Section 1113. If the Superintendent of Public Instruction shall decide that such objections are sufficient, such election of county superintendent shall be void; whereupon he shall refuse to issue a commission to the person so certified by the president and secretary of the convention, and the Superintendent of Public Instruction shall then appoint, for the full term or the remainder thereof, a properly qualified person as county superintendent, after having given careful consideration to any recommendations concerning such appointment which may have been made to him by the officers of the proper county school directors' association, within ten days after he made public his decision in said case.

Appointment to vacancy.

To issue subpoenas.

Section 1114. For any such hearing herein provided the Superintendent of Public Instruction shall have power to issue subpoena requiring witnesses to attend and testify; and any person, subpoenaed so to do, who shall neglect or refuse to attend and give evidence at any such hearing, shall be liable to the same fine and penalties as if he had refused to appear and testify in the court of common pleas of the county in which such hearing is held.

Expenses of hearing.

Section 1115. Any such hearing may be held at such time and at such place as the Superintendent of Public Instruction may direct, and he may direct that so much of the cost and expense incurred on account of such hearing, as he may approve, shall be paid by the Commonwealth, by an order drawn on the treasurer thereof, out of any appropriation made for such purpose.

Filing of bond by objectors.

Section 1116. The Superintendent of Public Instruction shall have power, before proceeding with any such hearing, to require the objectors to the election of any person as county superintendent to file a proper bond in favor of the Commonwealth, in such amount and with such surety or sureties as may be approved of by him, conditioned that if the said objectors to the said election fail to make good the objections filed by them, then, in that case, they shall pay all necessary costs and expenses incurred on account of the filing of such objections and the hearing disposing of the same.

Pay mileage of directors.

Section 1117. Every school director attending a convention for the election of a county superintendent shall be paid the sum of two dollars, and mileage at the rate of three cents per mile for each mile necessary to be traveled between the county seat and the

home of such director, such sum to be paid by the school district in which the director resides, by a proper order drawn on the treasurer of such district.

Lists of directors to be filed with prothonotary.

Section 1118. After the election of a county superintendent, the duplicate list of directors furnished to the president of the convention, the tally sheets, and all papers used in connection with the election, shall be sealed by the tellers and be by them delivered to the prothonotary of the county, who shall retain the same for at least thirty days thereafter, and, in case any objections are filed to the election of any person as county superintendent, said prothonotary shall forthwith transmit all the papers deposited with him by the tellers to the Superintendent of Public Instruction.

Removal of county superintendent.

Section 1119. Any county superintendent may be removed by the Superintendent of Public Instruction, at any time, for neglect of duty, incompetency, intemperance, immorality, or other improper conduct as well as for the violation of any of the provisions of this act: Provided, That before any county superintendent shall be removed, he shall be given a hearing, of which he shall have reasonable notice, together with a statement of the charges preferred against him.

Proviso.

Vacancy.

Section 1120. Any vacancy in the office of county superintendent, by reason of death, removal, or otherwise, shall be filled for the unexpired term by the Superintendent of Public Instruction, after careful consideration of any recommendations concerning it from the officers of the proper county school directors' association, made within ten days after the vacancy occurs.

Salary.

Section 1121. The annual salary of each county superintendent elected or appointed under the provisions of this act shall be paid by the State, from appropriations made for this purpose, or from the appropriations for the public schools, and shall be fifteen dollars ($15.00) for each of the first one hundred schools within his jurisdiction at the time of his election, and five dollars ($5.00) for each such additional school: Provided, That the salary of a county superintendent shall not be less than fifteen hundred dollars ($1,500.00) per annum, or more than two thousand dollars ($2,000.00) per annum; but a convention of school directors, assembled for the purpose of electing a county superintendent, may vote him a salary greater than the amount he would receive by this act, such increase to be paid in all cases out of the school fund apportioned to the school districts over which such county superintendent has supervision, before the same is distributed. The salaries of county superintendents shall be paid quarterly: Provided, That the provisions of this act, relating to the amount

and the manner of determining the salaries of county superintendents, shall not take effect before the first Monday of June, one thousand nine hundred and fourteen (1914).

New county.

Section 1122. In case a new county shall at any time be created in this Commonwealth, the Superintendent of Public Instruction shall appoint a properly qualified person as superintendent of public schools in such county, until the date when terms of other county superintendents end.

Duties of county superintendent.

Section 1123. It shall be the duty of every county superintendent to visit personally as often as practicable (in addition to the visiting herein required by assistant county superintendents, if any) the several schools in the county under his supervision, to note the courses and methods of instruction and branches taught, to give such directions in the art and methods of teaching in each school as he deems expedient and necessary, and to report to the proper board of school directors any inefficiency found, so that each school shall be equal to the grade for which it was established and that there may be, as far as practicable, uniformity in the courses of study in schools of the several grades.

Duties.

Section 1124. It shall be the duty of every county superintendent to inspect the school grounds and school buildings visited by him, and to report to the board of school directors of the proper district any violations of any of the provisions or requirements of this act regarding the sanitary or other conditions thereof.

Office rooms provided.

Section 1125. The county commissioners of each county in this Commonwealth shall provide, furnish, and maintain fit and suitable office rooms at the county-seat for the use of the county superintendent of schools, and his assistants if any, and the said county commissioners shall also provide, furnish, and maintain safe and suitable storage, in connection with such office rooms, for the preservation and safe-keeping of the school records, books, and documents pertaining to such office. They shall also provide, for the use of said superintendent and assistant superintendents, all necessary stationery, printing, and blanks.

ASSISTANT COUNTY SUPERINTENDENTS.

Number of assistants.

Section 1126. Every county superintendent having more than two hundred, and not more than four hundred, teachers under his supervision, shall have an assistant superintendent; every county superintendent having more than four hundred, and not more than six hundred, teachers under his supervision, shall have two assistant superintendents; every county superintendent having more than six hundred, and not more than eight hundred, teachers under his supervision, shall have three assistant superintendents; and for

each additional four hundred teachers, or fraction thereof, under his supervision, a county superintendent shall have an additional assistant superintendent. And the school directors of any county, at their convention for electing a county superintendent, may authorize the appointment of additional assistant superintendents to those herein provided for.

Nomination of.

Section 1127. The superintendent of each county entitled to an assistant superintendent or assistant superintendents shall, within fifteen days after receiving his commission, nominate to the five officers of the school directors' association of the county the assistant superintendent or superintendents, who must furnish the president of said association the same evidence of eligibility as is required of candidates for county superintendents. These nominations shall be appointments until the end of the county superintendent's term of office, when confirmed by a majority vote of the five officers of the directors' association of said county. The president and secretary of the School Directors' Association shall certify to the Superintendent of Public Instruction the names and post-office addresses of the assistant county superintendents thus appointed, and their salaries as fixed by the directors' convention, and such assistant county superintendents shall be commissioned by the Superintendent of Public Instruction, in the same manner and under the same conditions, as in the case of county superintendents. Should the county superintendent and the officers of the School Directors' Association of any county fail to nominate and confirm the assistant superintendent or superintendents for such county within thirty days after the county superintendent has received his commission, the Superintendent of Public Instruction shall appoint such assistant superintendent or superintendents to serve until the end of the county superintendent's term of office.

Eligibility.

Certificate of appointment.

Failure to nominate.

Appointment.

Vacancy.

Section 1128. Any vacancy occurring in the position of assistant county superintendent shall be filled by the county superintendent and the officers of the School Directors' Association, in like manner as at the beginning of a term. In all counties entitled to one or more assistant county superintendents, the county superintendents elected in May, one thousand nine hundred and eleven (1911), and the officers of the School Directors Associations therein, shall, before the first day of September, one thousand nine hundred and eleven (1911), nominate and confirm the assistant county superintendents to which the several counties in this Commonwealth are entitled. Such assistant county superintendents shall hold office, subject to the provisions of this act, until the first Monday of June, one thousand nine hundred and fourteen (1914).

Term of office.

Removal from office.

Section 1129. Upon the written charges and recommendation of the county superintendent, or of the majority of the members of each of three boards of school directors whose schools are under the jurisdiction of the county superintendent, assistant county superintendents of any county may, after a hearing, be removed by the Superintendent of Public Instruction, for the same causes and in like manner as a county superintendent is removed.

Salary.

Section 1130. The minimum salary of each assistant county superintendent shall be twelve hundred dollars ($1,200.00) per year, which shall be paid out of the State appropriation for public schools, in such payments and manner as the county superintendents are paid. The salaries of additional assistant county superintendents, whose appointments may be authorized as herein provided, shall be fixed by the convention of school directors which provides for their appointment, and, together with any additional salary granted by said convention to any required assistant county superintendent, shall be paid from the school appropriation apportioned among the several school districts under the supervision of the county superintendent, before the same is distributed. The salaries of assistant county superintendents shall be paid quarterly.

Duties.

Section 1131. Every assistant county superintendent shall diligently visit the schools assigned him by the county superintendent, and shall, under his direction, supervise and direct the work of the schools, and see that each school is equal to the grade for which it was established, and that there is, as far as practicable, uniformity in the courses of study of the several grades respectively, and shall, when so directed by the county superintendent, the Superintendent of Public Instruction, or a State Inspector of High Schools, direct or conduct examinations for promotion or graduation. He shall also inspect school property, and see that the requirements of the law as to buildings, grounds, equipment, and sanitary arrangements are fully observed and complied with. During the school terms and vacations he shall assist the county superintendent in his work, and perform such other duties in connection with the public schools of the county as may be assigned him by the county superintendent: Provided, however, That the duties herein prescribed for the assistant county superintendents shall, in no case, be construed to lessen or limit the duty and responsibility of the county superintendent to visit all the schools under his jurisdiction as frequently as possible.

Conference with directors.

Section 1132. Assistant county superintendents shall meet with boards of school directors for conference when they deem it necessary, or when they are

requested by the directors to do so, and shall make to their county superintendents monthly reports concerning the condition and progress of the schools which they have visited, together with any needed recommendations, which reports shall be kept on file in the county superintendents' offices for not less than one year. The county superintendents shall forward to the various boards of school directors the reports and recommendations of the assistant county superintendents concerning the schools in their districts, or such portions thereof as they deem wise, together with any additional suggestions or recommendations. Reports to be made.

DISTRICT SUPERINTENDENTS.

Section 1133. The board of school directors in every school district of the first and second class shall, and in every district of the third class may, by a majority vote of all the members thereof, elect a properly qualified person as district superintendent, together with such properly qualified assistant district superintendents as it deems wise. The directors of any school district required or electing to have a district superintendent of schools shall not participate in the election of a county superintendent, and the public schools of any district which has a district superintendent shall not be subject to the superintendence or supervision of a county or an assistant county superintendent, but shall all be under the supervision of the district superintendent. Elections

Section 1134. The boards of school directors of each district of the second or third class, electing a district superintendent, shall meet in convention at its regular place of meeting, on the second Tuesday of April, one thousand nine hundred and eighteen (1918), and every four years thereafter, at an hour previously fixed by said board; and the secretary shall mail to each member thereof, at least five days beforehand, a notice of the time, place, and purpose of such convention. Such convention shall, in the same manner as a county superintendent is elected and certified, elect and certify a properly qualified district superintendent, to serve for four years from the first Monday of May next following his election: Provided, That on the first Tuesday of May, one thousand nine hundred and fourteen (1914), such district superintendents shall be elected as herein provided, to serve from the first Monday of June, one thousand nine hundred and fourteen (1914), until the first Monday of May, one thousand nine hundred and eighteen (1918). Convention for election. Term of office.

Section 1135. The board of school directors at any convention electing a district superintendent shall determine the amount of salary to be paid such district superintendent, which compensation shall be paid out of the funds of the district. Salary.

Assistants, election of.

Section 1136. Except in districts of the first class, assistant district superintendents shall be chosen by a majority vote of all the members of the board of school directors of the district, upon the nomination of the district superintendent, at the convention which elects the district superintendents, or at any subsequent meeting: Provided, That five days' notice thereof has been sent by mail to each member of the board of school directors.,

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Term and salary.

Section 1137 Assistant district superintendents shall serve through the term of the district superintendent, at salaries paid by the district, and fixed by a majority vote of the whole board of school directors prior to their election.

May be removed from office.

Section 1138. District superintendents and assistant district superintendents may be removed from office, after hearing, by a majority vote of the board of school directors of the district, for neglect of duty, incompetency, intemperance, or immorality, of which hearing notice of at least one week has been sent by mail to the accused, as well as to each member of the board of school directors.

Vacancy.

Section 1139. Any vacancy in the position of district superintendent or assistant district superintendent shall be filled, by the board of school directors, for the remainder of the term.

Vacancy.

Section 1140. Any school district of the second or third class having no district superintendent may elect a district superintendent, before the regular time fixed for the election of district superintendents, in the manner herein provided, and he shall serve until the date when the terms of other district superintendents end.

Shall be commissioned.

Section 1141. District superintendents and assistant district superintendents shall be commissioned by the Superintendent of Public Instruction, in the same manner and under the same conditions as in the case of county superintendents, and objections to the election of district superintendents or assistant district superintendents may be made in writing to the Superintendent of Public Instruction, signed, among others, by at least one-third of the members of the board of school directors of said district, verified by the oath or affirmation of at least three objectors, and such case shall be disposed of as in the case of county superintendents.

Objections to election.

Duties.

Section 1142. The duties of district superintendents shall be the same as those now required of county superintendents, and also such as shall be required of them by the boards of school directors of their respective districts. The district superintendent shall have a seat in the board of school directors of the district, and the right to speak on all matters before the board, but not to vote.

Duties.

Section 1143. Assistant district superintendents shall perform such duties as may be assigned them by

the boards of school directors or by the district superintendents.

Upon consolidation of districts.

Section 1144. When any school district, having a district superintendent, is, after this act goes into effect, annexed to and becomes a part of another school district, the district superintendent therein shall become an assistant district superintendent in the district to which such school district is annexed, for the remainder of his term.

Shall not engage in teaching.

Section 1145. No county, district, or assistant county or district superintendent in this Commonwealth shall engage in the business or profession of teaching in this Commonwealth, unless it be done without any other compensation than that paid to him as such superintendent.

Oath of office.

Section 1146. Every person elected or appointed as county superintendent, district superintendent, or assistant county or district superintendent, shall, before entering upon the duties of his office, subscribe to and take, before the Superintendent of Public Instruction, or before any judge of a court of common pleas in this Commonwealth, the same oath or affirmation as has herein been prescribed to be taken by persons elected to the office of school director, which said oath or affirmation, being attested by said Superintendent of Public Instruction or judge, shall be filed in the office of the Superintendent of Public Instruction.

Shall receive no other compensation.

Section 1147. No county, district, or assistant county or district superintendent shall receive any compensation for services rendered in connection with the public schools under his jurisdiction except the compensation herein provided. No county, district, or assistant county or district superintendent, who is engaged as such, nor any person who is an applicant for such position, shall be an agent for, nor shall he be in any way financially interested in, the sale or adoption of any book or books or supplies in the county or district in which he is engaged, or in which he is an applicant for such position.

Nor be agent for boards or supplies in his district.

Examination of teachers.

Section 1148. The county and district superintendents shall conduct the examination of teachers for provisional and professional certificates, within their respective counties or districts, as hereinafter provided. The times and places of such examinations in each county or district shall be at the discretion of such superintendent, proper notice to be given of the same.

To see that the required branches are taught.

Section 1149. It shall be the duty of each county and district superintendent to see that in every district there shall be taught the several branches required by this act, as well as such other branches as the board of school directors may require.

Failure to provide competent teachers.

Section 1150. In case the board of school directors shall fail to provide competent teachers to teach the

several branches required in this act, it shall be the duty of the county or district superintendent to notify the board of school directors, in writing, of its neglect, and, in case provision is not made forthwith for teaching the branches aforesaid, to report such fact to the Superintendent of Public Instruction, whose duty it shall be to withhold any order for such district's share of the State appropriation until the county or district superintendent shall notify him that competent teachers of the branches aforesaid have been employed. And in case of neglect or refusal by the board of school directors to employ such competent teachers as aforesaid, for one month after receiving notice from the county or district superintendent that such teachers have not been provided, such district shall forfeit absolutely its whole share of the State appropriation for that year.

Appropriations to be forfeited.

Reports to be made annually.

Section 1151. Every county and every district superintendent in this Commonwealth shall annually, on or before the first Monday of August, forward to the Superintendent of Public Instruction the reports of the several school districts under his supervision, and shall accompany the same with such extended report of the public schools under his supervision as he may think proper, suggesting such improvements or changes in the public school system as he may see fit to suggest. He shall further furnish to the Superintendent of Public Instruction, whenever required so to do, such additional reports and information as the Superintendent of Public Instruction may request.

Bribery in election of superintendent.

Misdemeanor.

Penalty.

Section 1152. Any person who shall, either directly or indirectly, pay or give to a school director any sum of money, or other thing of value, for his vote or support in the election of a county, district, or assistant county or district superintendent, or pay or give to a school director any or all of his expenses incurred in and about the convention for the election of a county, district, or assistant county or district superintendent, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than five dollars ($5.00) or more than five hundred dollars ($500.00), or be sentenced to imprisonment for not less than thirty days, or more than one year, either or both, at the discretion of the court, and shall forever thereafter be disqualified from holding the office of county superintendent, district superintendent, assistant county or district superintendent, school director, or any other office in the public school system of this Commonwealth.

Salary to continue until end of term.

Section 1153. Any superintendent of public schools in any school district of the first class, at the time of the approval of this act, having supervision of all the territory comprising such school district, shall serve therein at the same salary as district superintendent until the end of his term, when a district superintendent shall be elected as herein provided.

ARTICLE XII.

TEACHERS AND SUPERVISING PRINCIPALS.

Teachers.

Section 1201. The board of school directors in every school district in this Commonwealth shall employ the necessary qualified teachers to keep the public schools open in their respective districts in compliance with the provisions of this act.

Character and age.

Section 1202. Every teacher employed to teach in the public schools of this Commonwealth must be a person of good moral character, and must be at least eighteen years of age.

Special teachers.

Section 1203. The board of school directors in every school district in this Commonwealth may employ such special teachers, qualified as herein provided, as they may deem necessary for any of the public schools or departments thereof in the district.

State certificates.

Section 1204. Teachers of merit and experience, who hold State certificates which exempt their holders from further examination, may be elected for any length of time not exceeding three years.

Contracts with teachers.

Section 1205. In school districts of the second, third, and fourth class, all contracts with teachers shall be in writing, in duplicate, and shall be executed on behalf of the board of school directors by the president and secretary and signed by the teacher.

Salaries when schools are closed.

Section 1206. When a board of school directors is compelled to close any school or schools on account of contagious disease, the destruction or damage of the school building by fire, or other causes, unless otherwise provided in their contracts of employment, the school district shall be liable for the salaries of the teachers of said school or schools for the terms for which they were engaged.

Relatives of directors not to be employed.

Section 1207. No teacher shall be employed in this Commonwealth, by any board of school directors, who is related to any member of the board; as, father, mother, brother, sister, husband, wife, son, daughter, stepson, stepdaughter, grandchild, nephew, niece, first-cousin, sister-in-law, brother-in-law, uncle, or aunt, unless such teacher receives the affirmative votes of three fourths of all the members of the board.

Exception.

Dismissal for cause.

Section 1208. Any principal or teacher employed in any school district may be dismissed, at any time, by the board of school directors, on account of immorality, incompetency, intemperance, cruelty, negligence, or for the violation of any of the provisions of this act: Provided, That before any principal or teacher is dismissed he shall be given an opportunity to be heard, after reasonable notice in writing of the charges made against him.

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Refusal to teach.

Penalty.

Section 1209. Any principal or teacher who, unless released by the board of school directors, refuses or neglects to teach through the term for which he was engaged, except when prevented by personal illness, shall be disqualified from teaching in any public school in this Commonwealth during the term of said contract.

Minimum salary.

Section 1210. The minimum salary of every teacher in the public schools of this Commonwealth, holding a professional or a State certificate, who has taught successfully for two years and presents a certificate to that effect from the proper superintendent, shall be fifty dollars ($50.00) per school month. The minimum salary of every other teacher in the public schools of this Commonwealth shall be forty dollars ($40.00) per school month.

Increase of salary.

Section 1211. The minimum salaries of teachers, as hereinbefore fixed, shall be increased from fifty (50) to fifty-five (55), and from forty (40) to forty-five (45),

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dollars per month: Provided, The General Assembly increases the appropriation for public schools to provide necessary funds for such increase in minimum salaries under the provisions of this act.

Exceptions.

Section 1212. The provisions of this act fixing the minimum salaries of teachers shall not apply to any teacher engaged only in teaching a night school, or to one who is engaged for only a part of the school day or school month.

Increased salaries, how paid.

Section 1213. The increase in all salaries made necessary by the minimum salaries herein fixed, over the salaries paid in each school district in this Commonwealth in the school year beginning on the first Monday of June, one thousand nine hundred and six (1906), shall be paid out of the State appropriation for public schools.

SUPERVISING PRINCIPALS.

Supervising principal.

Section 1214. The board of school directors of any school district of the third or fourth class which has no district superintendent may employ, for a term not exceeding three years, a supervising principal of a part or all of the public schools of said school district.

Qualifications.

Every supervising principal shall have the same qualifications as are herein required for a superintendent of schools.

Districts may join.

Section 1215. Two or more school districts may join in the employment of a supervising principal, or of a supervisor or teacher of drawing, music, or other special subject, for part or all of the schools of such districts; such supervising principal, supervisor or special teacher to be employed, his compensation paid, and his duties prescribed, by the several districts employing him.

ARTICLE XIII.

CERTIFICATION OF TEACHERS.

Teacher must hold certificate.

Section 1301. Every teacher in the public schools of this Commonwealth must hold a provisional, professional or State certificate, which shall set forth the branches which its holder is entitled to teach, and which shall be issued as herein provided; but no teacher shall teach, in any public school in this Commonwealth, any branch which he has not been properly certificated to teach.

PROVISIONAL CERTIFICATE.

Certificates valid for one year.

Section 1302. Any county or district superintendent in this Commonwealth may issue provisional certificates to persons who pass satisfactory examinations in spelling, reading, writing, physiology, and hygiene, geography, English grammar, arithmetic, elementary algebra, history of the United States and of Pennsylvania, civil government, including State and local government, school management and methods of teaching, valid for one year in the districts or district under the supervision of the superintendent issuing them. Every provisional certificate shall indicate by suitable marks the degree of proficiency of the holder in each branch. No person, entering upon the work of teaching in the public schools after the approval of this act, shall teach more than five school terms on provisional certificates. No superintendent shall make valid by endorsement a provisional certificate issued by another superintendent.

Additions to certificates.

Section 1303. Any county or district superintendent may, after satisfactory examination, add additional branches to any provisional certificate which he issues, or may grant to holders of State or professional certificates, after satisfactory examination, provisional certificates in any branches additional to those on their certificates, subject to the provisions of this act relating to provisional certificates.

PROFESSIONAL CERTIFICATE.

Certificates valid for three years.

Section 1304. Teachers in the public schools who have taught successfully under the supervision of any county or district superintendent in this Commonwealth for not less than two full school terms, and who have in the examinations of such county or district superintendent for a professional certificate passed a thorough examination in the branches of study required for a provisional certificate, as well as in any two of the following subjects; namely, vocal music, drawing, English literature, plane geometry, general history, physical geography, elementary botany, elemen-

tary zoology, or elementary physics, and shall satisfy said superintendent, by written or oral tests, that they have carefully and intelligently read two of the books on pedagogy approved for such purposes by the Superintendent of Public Instruction, shall receive professional certificates, which certificates shall be valid for three years in the schools under the supervision of the county or district superintendent by whom they were issued.

Examination papers to be kept on file.

Section 1305. The examination papers upon which professional certificates have been issued shall be kept on file not less than three years in the office of the superintendent issuing the same, and shall be open to the inspection of the Superintendent of Public Instruction, or any of his deputies, or any county or district superintendent.

Renewal of certificate.

Section 1306. At the expiration of any professional certificate it may be renewed by the superintendent who issued it, or by his successor, provided its holder shows by examination a satisfactory degree of thoroughness in any two of the additional branches required for professional certificates, which are not already upon his certificate, and shall satisfy the superintendent by a written or oral test, that he has carefully and intelligently read two additional books on pedagogy approved by the Superintendent of Public Instruction. No professional certificate shall be renewed more than three times.

Endorsement of certificate.

Section 1307. Any county superintendent, or any district superintendent in a school district of the second or third class, may endorse a valid professional certificate issued by another superintendent of schools of this Commonwealth, which endorsement shall validate it in the district or districts under the supervision of the superintendent endorsing it, and, after its holder has taught successfully under his supervision, such county or district superintendent, or his successor, may renew it as provided in this act.

Renewal.

Renewal of valid certificate may be continued.

Section 1308. County or district superintendents may continue to renew valid professional certificates, without examination in the branches which they include, for teachers under their supervision who have held such certificates during the year preceding the approval of this act. A professional certificate thus renewed shall be valid for teaching the branches which it includes, in the district or districts under the supervision of the superintendent who renewed it, during the official term of such superintendent and for one year thereafter: Provided, That any person now teaching in the public schools of this Commonwealth, who has held a professional certificate for not less than ten years, may continue to teach the subjects embraced in his certificate, in the school district in which he is now teaching, without further examination, and his

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proper superintendent, when requested, shall by endorsement on his present certificate certify to that effect.

STATE CERTIFICATES.

Section 1309. State certificates shall include the following:

Permanent State Certificates,
State Normal School Certificates,
State Normal School Diplomas,
Provisional College Certificates,
Permanent College Certificates.

Every college certificate shall set forth the name of the college or university from which its holder was graduated. State certificates shall entitle their holders to teach in every part of this Commonwealth for the terms herein specified. Contents of certificates.

Section 1310. The Superintendent of Public Instruction shall select such places and times for holding examinations for permanent State certificates as will, in his judgment, reasonably accommodate all parts of the Commonwealth. The Superintendent of Public Instruction shall, annually, appoint an Examining Board of superintendents or teachers, who are holders of State certificates, for each place where such examinations are to be held. The members of said Examining Boards shall be reimbursed by the State for all expenses necessarily incurred in conducting such examinations, but shall receive no further compensation therefor. Examination for State certificates.

Section 1311. All teachers who have been holding professional certificates for two years or longer, and who have certificates of good moral character and success in teaching from their proper superintendents and boards of school directors, for two school terms, are eligible as candidates for permanent State certificates. Who are eligible.

Section 1312. The Examining Boards shall, under such regulations as made by the Superintendent of Public Instruction, hold one or more examinations each year in all the branches of study heretofore enumerated in this article, and shall recommend to the Superintendent of Public Instruction to grant permanent State certificates to all eligible candidates who have passed satisfactory examinations in all of said branches, and who have satisfied the Examining Boards, by written or oral tests, that they have read carefully and intelligently not less than four books on pedagogy approved by the Superintendent of Public Instruction. Eligible candidates for or holders of permanent State certificates, upon passing satisfactory examinations before said Examining Boards, in any additional branches which are required or taught in the public schools in this Commonwealth, shall have the same included in their certificates. Recommendation by examining board.

Permanent State certificates.

Section 1313. The results of these examinations, together with the recommendation of the Examining Board in each case, shall be forwarded to the Superintendent of Public Instruction, who shall, if he approve of the same, grant to said applicants permanent State certificates, which shall entitle their holders to teach the branches of study set forth therein, without further examination. All the examination papers, and all the evidence of good moral character and success in teaching submitted at such examinations, shall be sent to the Department of Public Instruction and be kept on file for not less than one year.,

STATE NORMAL SCHOOL CERTIFICATES.

Normal school certificates.

Section 1314. State Normal School certificates, issued by the State Normal Schools of this Commonwealth, shall entitle their holders to teach for two annual school terms.

STATE NORMAL SCHOOL DIPLOMAS.

Normal school diploma.

Section 1315. Diplomas issued by the State Normal Schools of this Commonwealth shall entitle their holders to teach without further examination.

PROVISIONAL COLLEGE CERTIFICATES.

Provisional college certificates.

Section 1316. The superintendent of Public Instruction may grant a provisional college certificate to every person who presents to him satisfactory evidence of good moral character, and of being a graduate of a college or university approved by the College and University Council of this Commonwealth, who has during his college or university course successfully completed not less than two hundred hours' work in pedagogical studies, such as psychology, ethics, logic, history of education, school management, and methods of teaching, which certificate shall entitle him to teach for three annual school terms.

PERMANENT COLLEGE CERTIFICATES.

Permanent college certificate.

Section 1317. The superintendent of Public Instruction shall issue a permanent college certificate to every graduate of a college or university approved by the College and University Council of Pennsylvania, and of such departments therein as are approved by him, when such graduate furnishes satisfactory evidence of good moral character and successful experience of three years' teaching in the public schools of this Commonwealth, which certificate shall entitle its holder to teach without further examination.

Certificates issued by other states may be validated.

Section 1318. The Superintendent of Public Instruction may validate in this Commonwealth teachers' certificates issued by other States, or by the State Normal Schools or colleges of other States, whose requirements

are equivalent to those of this Commonwealth: Provided, That he may revoke such validation of certificates at any time.

Temporary or permanent certificates.

Section 1319. The Superintendent of Public Instruction shall provide for special examinations, and for temporary or permanent certificates, for teachers of kindergartens, drawing, vocal music, manual training, physical training and other special branches.

Special subjects.

The Superintendent of Public Instruction may issue temporary or permanent certificates for the teaching of such special subjects to graduates of approved special schools of such subjects, under such conditions as he may make.

Who shall not be granted certificates.

Section 1320. No teachers' certificate shall be granted to any person who has not submitted, upon a blank furnished by the Superintendent of Public Instruction, a certificate from a physician legally qualified to practice medicine in this Commonwealth, setting forth that said applicant is neither mentally nor physically disqualified, by reason of tuberculosis or any other chronic or acute defect, from successful performance of the duties of a teacher; nor to any person who has not a good moral character, or who is in the habit of using opium or other narcotic drugs in any form, or any intoxicating drink as a beverage.

Certificates to continue in force.

Section 1321. All teachers' certificates, in force in this Commonwealth at the time this act goes into effect, shall continue in full force and effect, subject to all the terms and conditions under which they were issued, until they expire by virtue of their own limitations, unless they are sooner annulled for the reason and in the manner herein provided.

Certificates may be annulled.

Section 1322. Certificates may be annulled for incompetency, cruelty, negligence, immorality, or intemperance, after hearing, of which reasonable notice in writing must be given to the parties interested. Provisional or professional certificates shall be annulled by the superintendent who granted them, or under whose supervision their holders are teaching, and all State certificates or endorsements of the certificates of other States, by the Superintendent of Public Instruction.

Record of certificates to be kept.

Section 1323. Every county and district superintendent shall keep, in a book provided for the purpose at the expense of the State, an accurate record of all provisional certificates issued, and professional certificates issued or endorsed, by him during his term of office. He shall also keep a record of all other valid certificates held by the teachers of the schools within his jurisdiction.

To be registered.

Section 1324. Before entering upon the work of teaching, every holder of a permanent, special or State certificate, of any kind, shall present it, for registration, to the proper superintendent, who shall record

its kind, number, and date of issue, together with the branches which it covers. Whenever new branches are added to any certificate, these shall be added to the record upon presentation of said certificate to the superintendent.

ARTICLE XIV.

PUPILS AND ATTENDANCE.

School attendance.

Section 1401. Every child, being a resident of any school district in this Commonwealth, between the ages of six and twenty-one years, may attend the public schools in his district, subject to the provisions of this act.

Residence of child.

Section 1402. A child shall be considered a resident of the school district in which his parents or the guardian of his person resides. If any child has no parents or the guardian of his person, then such child shall be considered a resident of the district in which the person sustaining parental relations to such child resides.

Admission of beginners.

Section 1403. Unless otherwise directed by the board of school directors, the admission of beginners to the public schools shall be confined to two periods, namely, during the first two weeks of the annual school term, and during the first two weeks of school following the first day of January in any school year: Provided, That beginners becoming six years of age after the beginning of the school term, and before the first day of January of any year, shall be admitted during the period at the beginning of the school term, and beginners becoming six years of age between the first day of January and the close of the term shall be admitted during the period following the first day of January: Provided further, That the board of school directors in any school district may fix such other periods for the admission of such beginners as it may determine.

Proviso.

Proviso.

Beginners defined.

The term beginners, as used in this section, shall mean any child that should enter the lowest grade of the primary school or the lowest primary class.

Pupils may attend school in another district.

Section 1404. Where any pupil in any school district in this Commonwealth resides one and one-half-miles, or more, by the public road, from the nearest public elementary school in the district, such pupil, unless proper free transportation be furnished to a suitable school in the district, on obtaining the consent of the board of school directors thereof, may attend any public elementary school in another school district more convenient of access, without the consent of the board of school directors of the district where such pupil resides; and the district where such pupil resides shall promptly pay, to the district where such

pupil attends, the cost of his tuition, text-books, and school supplies only, which shall not exceed that of the tuition, text-books, and school supplies of other pupils pursuing similar courses or studies in the same schools. The board of school directors of any district in this Commonwealth may, on account of convenience of access, or other reasons, permit any pupils to attend the schools of another district, on such terms as the two boards of school directors may mutually agree upon.

Free transportation of pupils.

The board of school directors in any school district in this Commonwealth may, out of the funds of the district, provide for the free transportation of any pupil to and from the public schools.

Districts may be sub-divided.

Section 1405. The board of school directors of every school district in this Commonwealth shall, for the purpose of designating the schools to be attended by the several pupils in said district, sub-divide the same in such manner that all the pupils in each school district, shall be assigned to, and reasonably accommodated in, one of the public schools in said school district: Provided, That the board of school directors may, upon cause shown, permit any pupil or pupils in any school district to attend such other school in said district as the board may deem proper, or may classify and assign the pupils in the district to any such school or schools therein as it may deem best, in order to properly educate the same: Provided further, That hereafter it shall be unlawful for any school director, superintendent, or teacher to make any distinction whatever, on account of, or by reason of, the race or color of any pupil or scholar who may be in attendance upon, or seeking admission to, any public school maintained wholly or in part under the school laws of the Commonwealth.

Proviso.

Proviso.

Unlawful to make distinction as to race or color.

School may be closed and consolidated.

Section 1406. The board of school directors of any school district in this Commonwealth may, on account of the small number of pupils in attendance, or the condition of the then existing school building, or for the purpose of better gradation and classification, or for economical or other reasons, close and consolidate any one or more of the public schools in its district, and, upon such school or schools being so closed, the pupils who belong to the same shall be assigned to other schools: Provided, That in any district of the fourth class, pupils who belong to any such closed school, and reside one and a half miles or more from the school to which they are assigned, shall be furnished proper transportation, at the expense of the district, to and from the school to which they are assigned.

Proviso.

Tuition, books and supplies shall be paid by district in which pupil resides.

Section 1407. If any such pupils are assigned to an adjoining district, the district where such pupils reside shall promptly pay, to the district in which they attend school, the cost of tuition, text-books, and

school supplies only, which shall not exceed that of the tuition, text-books, and school supplies of other pupils pursuing similar courses or studies in the same schools: Provided, That the consent of the board of school directors of the district to which the pupils of any closed school are sent shall be first obtained.

Transportation of pupils.

Section 1408. Where, by the terms of this act, any distance is specified between the residence of any pupil and any public school to be attended by him, or any transportation is provided for within or beyond any particular distance, in computing such distance no allowance shall be made for the distance that the dwelling-house of the pupil is situated off the public highway. All such distances shall be computed by the nearest public highway: Provided, That the free transportation of pupils, as required or authorized by this act, may be furnished by using electric railways, school conveyances, or other public transportation, when the total distance which any pupil must travel between his residence and the school, in addition to such transportation, does not exceed one and one-half miles, and when stations or other proper shelters are provided for the use of such pupils where needed.

Distances computed.

Proviso.

Non-resident pupils.

Section 1409. The board of school directors of any school district in this Commonwealth may permit any non-resident pupil to attend the public schools in its district, upon such terms as it may determine, subject to the provisions of this act.

Teachers to have parental authority.

Section 1410. Every teacher in the public schools in this Commonwealth shall have the right to exercise the same authority as to conduct and behavior over the pupils attending his school, during the time they are in attendance, including the time required in going to and from their homes, as the parents, guardians, or persons in parental relation to such pupils may exercise over them.

Supervision of pupils.

Section 1411. Every principal or teacher in charge of a public school in this Commonwealth may temporarily suspend any pupil on account of disobedience or misconduct, and any principal or teacher suspending any pupil shall promptly notify the district superintendent, supervising principal, or secretary of the board of school directors; and the board may, after a proper hearing, suspend such child for such time as it may determine, or may permanently expel him: Provided, That such hearing, suspension, or expulsion may be delegated to a duly authorized committee of the board.

Proviso.

Orphans.

Section 1412. The board of school directors of any school district in this Commonwealth, in which there is located any orphan asylum, home for the friendless, children's home, or other institution for the care or training of orphans or other children, may permit any children who are inmates of such homes, but not legal

residents in such district, to attend the public schools in said district. The education of such non-resident children in any school district may be done without charge by the district, or at a cost not exceeding the cost of tuition, text-books, and school supplies of other children of similar grade in such district.

Deficient children to be educated.

Section 1413. It shall be the duty of the county or district superintendent, attendance officer, or secretary of the board of school directors, in every school district in this Commonwealth, to report to the medical inspector of the school district every blind, deaf, or mentally deficient child in the district, between the ages of eight (8) and sixteen (16) years, who is not being properly educated and trained. The medical inspector of the school district shall examine such child, and report to the board of school directors whether it is a fit subject for education and training. If the child is reported to be a fit subject for education and training, but cannot be properly educated and trained in the public schools of the district, the board of school directors shall secure for it proper education and training: Provided, That when it is necessary to educate or train such children outside of the public schools, their parents or guardians shall, if able to do so, pay to the district the expense necessarily incurred by it in educating and training the same: And provided further, That any child who is reported by the medical inspector of the school district not to be a fit subject for education and training shall be exempt from the provisions of this act.

Proviso.

Proviso.

ATTENDANCE OF PUPILS.

Attendance.

Section 1414. Every child having a legal residence in this Commonwealth, as herein provided, between the ages of eight and sixteen years, is required to attend a day school in which the common English branches provided for in this act are taught; and every parent, guardian, or other person, in this Commonwealth, having control or charge of any child or children, between the ages of eight and sixteen years, is required to send such child or children to a day school in which the common English branches are taught; and such child or children shall attend such school continuously through the entire term, during which the public elementary schools in their respective districts shall be in session: Provided, That the certificate of any principal or teacher of a private school, or of any institution for the education of children in which the common English branches are taught, setting forth that the work of said school is in compliance with the provisions of this act, shall be sufficient and satisfactory evidence thereof. Regular daily instruction in the English language, for the time herein required, by a properly qualified private tutor, shall be considered as complying with the provisions of this section, if such in-

Proviso.

struction is satisfactory to the proper county or district superintendent of schools: Provided further, That the board of school directors in any district of the fourth class may, at a meeting held at any time before the opening of the school term, reduce the period of compulsory attendance to not less than seventy per centum of the school term as fixed in such district, in which case, however, the board of school directors must, at the same time, fix the period for the compulsory attendance to begin.

Proviso.

Exceptions to compulsory attendance.

Section 1415. The board of school directors of any school district in this Commonwealth may, upon satisfactory evidence being furnished to it, showing that any child or children are prevented from attending school, or from application to study, on account of any mental, physical, or other urgent reasons, excuse such child or children from attending school as required by the provisions of this act, but the term "urgent reasons" shall be strictly construed and shall not permit of irregular attendance. Every principal or teacher in any public, private, or other school may, for reasons enumerated above, excuse any child for non-attendance during temporary periods.

Not applicable to children who have employment certificates.

Section 1416. The provisions of this act requiring regular attendance shall not apply to any child, between the ages of fourteen and sixteen years, who can read and write intelligently and is regularly engaged in any useful and lawful employment or service during the time the public schools are in session, and who holds an employment certificate issued according to law.

Teachers to make report of children admitted to other than public schools.

Section 1417. Every principal or teacher in every other than a public school, and in every institution for children, and every private teacher in every school district in this Commonwealth, shall, immediately after their admission to such school or institution, or at the beginning of such private teaching, furnish to the district superintendents, supervising principals, or secretaries of the boards of school directors of the districts wherein the parents or guardians of such children reside, lists of the names and residences of all children between eight and sixteen years of age enrolled in such school or institution, or taught by such private teacher; and shall further report at once to such district superintendent, supervising principal, or secretary of the board of school directors the name and date of withdrawal of any such pupil withdrawing from any such school or institution, or from such private instruction, if such withdrawal occurs during the period of compulsory attendance in said district. And every principal or teacher in a school other than a public school, and every private teacher, shall also report at once to the superintendent, supervising principal, or secretary of the board of school directors of the district, any such

Report of withdrawals from private school.

child who has been absent three days, or their equivalent, during the term of compulsory attendance, without lawful excuse.

Exemption.

Section 1418. In case there is no public school in session within two miles, by the nearest traveled road, of the residence of any child, such child shall be exempt from the provisions of this act relating to compulsory attendance, unless proper free transportation be furnished to such child to and from school.

Employers of children shall furnish information.

Section 1419. Every person, firm, association, or corporation in this Commonwealth accepting service from, or employing, a child or children, between the ages of fourteen and sixteen years, during the hours when the public schools are in session, shall, on or before the first day of September in each year, and quarterly thereafter, during the period of compulsory attendance, furnish to the superintendent of schools, supervising principal, or secretary of the board of school directors of the district in which such child or children reside, the name, age, place of residence, and name of parent or guardian, of every such child in his or its employ or service. Such reports shall be made upon blanks to be furnished by the Superintendent of Public Instruction at the expense of the Commonwealth.

Employers to furnish list, etc., of children.

Section 1420. Every person, firm, association, or corporation in this Commonwealth accepting service from, or employing, a child or children, between the ages of fourteen and sixteen years, during the hours when the public schools are in session, and during the period of compulsory attendance in any school district, shall make a true and correct list of all such children, giving their names, ages, places of residence, names of parents or guardians, the dates of, and names of the persons issuing, the employment certificates, and the time of beginning and ending of service with him or it, which list shall be clearly written or printed and kept publicly posted at the place of employment of such child, where the same may be inspected by any member of the board of school directors or the secretary thereof, by the district superintendent, the supervising principal, or the attendance officer of any school district, at any time during business hours.

Children between eight and fourteen shall not be employed.

Section 1421. No person in this Commonwealth, either for himself or for any firm, association, or corporation, shall, during the term of compulsory attendance as fixed by the board of school directors in any school district, and during the hours the public schools are in session, accept service from, engage, or employ any child or children between eight and fourteen years of age; nor shall he accept service from, engage, or employ any child or children between the ages of fourteen and sixteen years, unless such child shall first furnish and deliver to such employer an employment certificate issued according to law.

Illegal employment of children.

Section 1422. Any person or persons accepting service from, or engaging or employing, any child between eight and fourteen years of age during the term of compulsory attendance, and while the public schools are in session, or accepting service from, engaging, or employing any child during the same period of time, between the ages of fourteen and sixteen years, without being first furnished by such child with an employment certificate, or failing to furnish to the district superintendent of schools, supervising principal, attendance officer, or secretary of the board of school directors the information required by this act concerning the children employed by him or them, or shall fail to post for inspection at the place of employment of such children the list of children engaged by him or them, as required by the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction

Penalty.

shall be punished for a first offence by a fine of not less than ten dollars ($10.00) or more than twenty-five dollars ($25.00), or ten days' imprisonment in the county jail, or either or both, at the discretion of the court, and for a subsequent offence shall be punished by a fine of not less than twenty dollars ($20.00) or more than fifty dollars ($50.00), or ninety days' imprisonment in the county jail, or either or both, at the discretion of the court.

Failure by parents regarding compulsory attendance.

Section 1423. Every parent, guardian, or person in parental relation in this Commonwealth, having control or charge of any child or children, between the ages of eight and sixteen years, who shall fail to comply with the provisions of this act regarding compulsory attendance, shall be guilty of a misdemeanor, and on conviction thereof before any alderman, magistrate, or justice of the peace shall be sentenced to pay a fine, for

Penalty.

the benefit of the school district in which such offending person resides, not exceeding two dollars ($2.00) for the first offence, and not exceeding five dollars ($5.00) for each succeeding offence, together with costs, and, in default of the payment of such fine and costs by the person so offending, shall be sentenced to the county

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jail for a period not exceeding five days: Provided, That any person sentenced to pay any such fine may, at any time within five days thereafter, appeal to the court of quarter sessions of the proper county, upon entering into a recognizance, with one or more proper sureties, in double the amount of penalty and costs:

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And provided, That before any proceedings are instituted against any parent, guardian, or person in parental relation, for failure to comply with the provisions of this act, such offending person shall have three days' written notice given him by the superintendent of public schools, supervising principal, attendance officer, or secretary of the board of school directors of such violation, and if, after such notice has been given,

the provisions of this act regarding compulsory attendance are again violated by the persons so notified, at any time during the term of compulsory attendance, such person, so again offending, shall be liable under the provisions of this act without further notice.

The provisions of this act regarding compulsory attendance shall not take effect until the first Monday of July, nineteen hundred and eleven (1911).

Duties of school officers.

Section 1424. Whenever the board of school directors, or the attendance officer, superintendent, supervising principal, or secretary of any board of school directors, in this Commonwealth, ascertains that any child between eight and sixteen years of age, who is by the provisions of this act required to attend the public schools in the district over which such board of school directors has control, is unable to do so, on account of lack of necessary clothing or food, such case shall be promptly reported to any suitable relief agency operating in the school district, or, if there be no such suitable relief agency to which the case can be referred, it shall be reported to the proper directors or overseers of the poor for investigation and relief.

When child lacks food or clothing.

ENUMERATION OF SCHOOL CHILDREN.

Enumeration of children between six and sixteen years.

Section 1425. The board of school directors in every school district in this Commonwealth shall, between April first and September first of each year, cause to be made by the attendance officers, teachers, or other persons employed for this purpose, a careful, correct, and accurate enumeration, in a substantial book or books provided by the Superintendent of Public Instruction, at the expense of the State, for that purpose, of all the children between the ages of six and sixteen years within their district, giving the full name, date of birth, age, sex, nationality, place of residence in such school district, name and address of parent or persons in parental relation, the name and location of the school where the child is enrolled or belongs, and the name and address of the employer of any child under sixteen years of age who is engaged in any regular employment or service. Such enumeration shall be made by careful inquiry at the residence of each family in the district, and the person making the same, upon completion thereof, shall make a proper oath or affirmation as to its correctness. Such enumeration shall also include the names and addresses of all persons, firms, or corporations employing or accepting service from children under sixteen (16) years of age.

Secretary to furnish list of names of children.

Section 1426. The secretary of each board of school directors, or such other person as is directed by the board, shall, at or before the opening of the school term, furnish to the principal or teacher of each school a correct list of the names and residences of all children, assigned to such school, who are subject to the

provisions of this act. The said secretary or other person shall also forward, on or before the first day of October of each year, to the county or district superintendent, to be by him forwarded, on or before the first day of November of each year, to the Superintendent of Public Instruction, a summary of such statistics regarding the children in each district, as is required by the Superintendent of Public Instruction, on blanks provided by him for that purpose.

Cost of enumeration.

Section 1427. The cost and expense of making a proper enumeration of the children of each school district, as herein provided, shall be paid per diem, or by the name, or in such other manner as the board of school directors may see proper, out of the funds of the district: Provided, That the attendance officer, the superintendent of schools, supervising principal, or the secretary of the board of school directors, shall have the power to add to this enumeration the names of any children whose names do not appear thereon, together with other information required by this act.

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Children listed failing to appear.

Section 1428. It shall be the duty of every principal or teacher of a public school to report immediately to the attendance officer, superintendent of schools, supervising principal, or secretary of the board of school directors, the names of all children in the list furnished to him who have not appeared for enrollment, and he shall also promptly report, from time to time, to the attendance officer, superintendent of schools, supervising principal, or secretary of the board of school directors, the names of all children who have been absent three days, or their equivalent, during the term of compulsory attendance, without lawful excuse. Such person shall thereupon serve upon the parent, guardian, or other person in parental relation to such children, the written notice hereinbefore provided, and if it shall appear that, within three days thereafter, any child, parent, guardian, or other person in parental relation shall have failed to comply with the provisions of this act, the superintendent, supervising principal, attendance officer, or secretary of the board of school directors, in the name of the school district, shall proceed against the person so offending, in accordance with the provisions of this act.

Absentees.

Notice to parent.

Costs of proceedings.

Section 1429. If at any time after proceedings have been instituted against any person under the provisions of this act, sufficient cause be shown by such offending person for non-compliance with its requirements, or if the cost of such proceedings cannot be collected from such offending person, such costs may be paid out of the district funds, upon a proper voucher approved by the board of school directors.

Wilful refusal or neglect to comply with this act, subject to penalty .

Section 1430. Any district superintendent, supervising principal, secretary of the board of school directors, attendance officer, or teacher of any public

or private school, or any private teacher, or any principal or teacher in any institution for children, who wilfully refuses or neglects to comply with the provisions of this act, shall be liable for and pay a penalty, for the use of the school district, not exceeding twenty-five dollars ($25.00) and costs, and, in default of payment thereof, may be committed to the county jail for a period not exceeding thirty days. Such penalty may be recovered by, and in the name of, any school district, as like penalties are now collected by law: Provided, That any such superintendent, supervising principal, secretary, attendance officer, or teacher, upon whom a fine is imposed, may, at any time within five days thereafter, appeal to the court of quarter sessions in the proper county, on furnishing proper bail, with one surety, in double the amount of such penalty and costs.

Appropriation forfeited in certain cases.

Section 1431. The Superintendent of Public Instruction, upon due hearing, after two weeks' written notice to the board of school directors affected, may withhold and declare forfeited any part, or all, of the State appropriation of any school district which refuses or neglects to enforce the provisions of this article in a manner satisfactory to him.

ATTENDANCE OFFICERS.

Attendance officers.

Section 1432. The board of school directors of every school district in this Commonwealth of the first, second, or third class, shall, and in any school district of the fourth class may, employ one or more persons to be known as attendance officers, whose duties shall be to enforce the provisions of this act regarding compulsory attendance. Such attendance officers shall, in addition to the duties imposed upon them by the provisions of this act, have full police power without warrant, and may arrest or apprehend any child who fails to attend school in compliance with the provisions of this act, or who is incorrigible, insubordinate, or disorderly during attendance at school or on his way to or from school.

Duties.

Powers.

To notify parents.

Section 1433. When an attendance officer arrests or apprehends any child who fails to attend school as required by the provisions of this act, he shall promptly notify the parents, guardian, or person in parental relation to such child, if such person can be found in the district, and unless requested by such parent, guardian, or person in parental relation to place said child in a school other than public school, he shall place said child in the public school in which the child is, or should be, enrolled.

Power and authority.

Section 1434. Such attendance officer shall have full power and authority to enter, during business hours, any place where any children are employed, to

ascertain whether or not any child is engaged therein that should attend school as herein provided, and such attendance officer shall have the right to demand and inspect the employment certificate of any child engaged therein.

Employer interferring with attendance officer.

Section 1435. Any officer, director, superintendent, manager, employee, or other person, at any place where any child between fourteen and sixteen years of age is engaged, who refuses to permit, or in any way interferes with, the entrance therein of the attendance officer, any member of the board of school directors, the secretary thereof, the district superintendent, or supervising principal of any school district, as provided for in this act, shall be guilty of a misdemeanor, and on conviction thereof before any magistrate, alderman, or justice of the peace shall be sentenced to pay a fine of not less than five dollars ($5.00) or more than twenty-five dollars ($25.00), in default of which he may be sentenced to imprisonment not exceeding thirty days: Provided, That any person sentenced to pay any such fine may, upon giving proper surety in double the amount of penalty and costs, at any time within five days thereafter, appeal to the court of quarter sessions of the proper county.

Penalty.

Compensation.

Section 1436. Such attendance officers shall be paid such amounts and in such manner as the board of school directors appointing them may decide, and they shall at all times perform the duties of their appointment under the direction of the board of school directors appointing them: Provided, That in districts of the fourth class, the compensation of any attendance officer shall not exceed two dollars ($2.00) per day for each day actually engaged. Every school district shall report annually to the Superintendent of Public Instruction, for publication in his report upon the enforcement of the provisions for compulsory attendance and the cost thereof, in such detail as said Superintendent of Public Instruction shall request.

Proviso.

Districts may join.

Section 1437. Any two or more school districts may join in the appointment of an attendance officer on such terms as they may mutually agree upon.

Incorrigible child.

Section 1438. In case any child between eight and sixteen years of age cannot be kept in school in compliance with the provisions of this act, on account of incorrigibility, truancy, insubordination, or other bad conduct, or if the presence of any such child attending school is detrimental to the welfare of such school, on account of incorrigibility, truancy, insubordination, or other bad conduct, then, in any such case, the board of school directors of the proper district may, by its superintendent, supervising principal, secretary, or attendance officer, under such rules and regulations as

said board may adopt, proceed against said child before the juvenile court, or otherwise, as is now or may hereafter be provided by law for incorrigible, truant, insubordinate, or delinquent children.

ARTICLE XV.

MEDICAL INSPECTION AND HYGIENE.

Medical inspection of pupils.

Section 1501. Every school district of the first, second, or third class in this Commonwealth shall annually provide medical inspection of all the pupils of its public schools by proper medical inspectors, to be appointed by the board of school directors of the district. Such medical inspection shall be made in the presence of the parent or guardian of the pupil, when so requested by parent or guardian. All such medical inspectors shall be physicians legally qualified to practice medicine in this Commonwealth, who have had at least two years' experience in the practice of their profession, and shall be paid such amounts as the boards of school directors may determine: Provided, That nothing in this act shall preclude the appointment of health officers of municipalities as medical inspectors in the school districts of this Commonwealth: Provided further, That if in any year, before the first day of August, the board of school directors of any school district of the third class shall decide, by a majority vote of the members thereof, not to have medical inspection in any or all of the schools of such district, such medical inspection shall not be made in such schools during the following school year.

Inspectors.

Compensation

Proviso.

Proviso.

First class district inspections.

Section 1502. In school districts of the first class, wherein the Department or Board of Health therein is providing the medical inspection for the public schools as required by this act, said Department or Board of Health may, if it so elects, continue to provide such medical inspection, and appoint such number of inspectors therefor, with such salaries, as shall be satisfactory to the board of school directors of the district, and the medical inspection so provided shall be deemed a compliance with this act, and shall be paid for by the school district.

Fourth class districts.

Section 1503. In every school district of the fourth class in this Commonwealth the State Department of Health shall provide, in such manner as it may determine, medical inspection for all the pupils in the public schools by proper medical inspectors, to be appointed by the State Commissioner of Health, at the expense of said Department. All such medical inspectors shall be legally qualified physicians, who have had not less than two years' experience in the practice of their profession. Such medical inspection shall be made in the presence of the parent or guardian of the

Medical inspection.

Inspectors.

Proviso.

pupil, when so requested by parent or guardian: Provided, That if the board of school directors of any school district of the fourth class shall decide, by a majority vote of the members thereof, not to have medical inspection of the pupils in a part or all of the schools of such district, and the Commissioner of Health is officially notified thereof, in writing, before the first day of July, such medical inspection shall not be made in such schools during the following school year.

Vote of directors.

Failure to act.

Section 1504. If, in any school district which is required by this act to provide medical inspection for its public schools, such medical inspection as is herein required is not furnished within thirty days after the beginning of the school year, the Commissioner of Health shall, after two weeks' written notice to the board of school directors of such district, appoint a properly qualified medical inspector, or inspectors, for the district, for the remainder of the school year, and shall fix the compensation for the same, which shall be paid by the district.

Notice.

Annual inspection.

Section 1505. The medical inspectors shall, at least once each year, inspect and carefully test and examine all pupils in the public schools of their districts, giving special attention to defective sight, hearing, or other disabilities and defects specified by the Commissioner of Health in his directions for the medical examinations of schools. Each medical inspector shall make to the teacher, or, if the board of school directors so directs, to the principal or district superintendent of schools, a written report concerning all pupils found to need medical or surgical attention, and giving careful directions concerning the care of each pupil who needs special care while in school. The teacher, or the principal, or district superintendent shall keep such report until the end of the school year, shall carry out as carefully as possible said directions concerning the special care of pupils while in school, and shall promptly send a copy of the medical inspector's report upon each child to the parents or guardian thereof.

Report.

Copy of report for parents, etc.

Inspection of privies, cellars, etc.

Section 1506. The medical inspector shall, at least once each year, and as early in the school term as possible, make a careful examination of all privies, water-closets, urinals, cellars, the water-supply, and drinking-vessels and utensils, and shall make such additional examinations of the sanitary conditions of the school buildings and grounds as he deems necessary, or as the regulations of the State Department of Health, or the rules of the board of school directors or of the local board of health require. He shall see that the laws of the Commonwealth relating to the health and sanitation of the public schools and the requirements of the local board of health are complied with.

Sanitary conditions.

Reports to Commissioner of Health.

Section 1507. He shall promptly make such reports to the Commissioner of Health as are required by him or by the regulations of his department, and such reports to the local boards of school directors as he deems necessary, or as are required by the Commissioner of Health or by the board of school directors. He shall perform such other duties as may be required by the health and sanitation laws of this Commonwealth or by the board of school directors.

Other duties.

School nurses.

Section 1508. Any board of school directors may employ one or more school nurses, who shall be graduates of reputable training schools for nurses, and shall define their duties.

Persons having tuberculosis.

Section 1509. No person having tuberculosis of the lungs shall be a pupil, teacher, janitor, or other employee in any public school, unless it be a special school carried on under the regulations made for such schools by the Commissioner of Health.

Certain pupils relieved from Attendance.

Section 1510. Any pupil prevented from attending school on account of the health or sanitation laws of this Commonwealth, or by the sanitary regulations of the local board of health or the board of school directors, is hereby relieved from complying with the provisions of this act concerning compulsory attendance, during such time as he is thereby prevented from attending school.

ARTICLE XVI.

TERMS AND COURSES OF STUDY.

School terms.

Section 1601. All the public elementary and high schools in the several school districts of this Commonwealth shall be kept open each year as follows: In school districts of the first and second class, at least nine months; in school districts of the third class, at least eight months, and in school districts of the fourth class, at least seven months. And, unless otherwise provided by this act, the board of school directors in any district may keep such other schools or departments, as it may establish, open during such time as it may direct.

School month construed.

Section 1602. Twenty days of actual teaching shall constitute a school month.

When school shall be closed.

Section 1603. No school shall be kept open on any Saturday for the purpose of ordinary instruction, except when Monday is fixed by the board of school directors as the weekly holiday, or on Sunday, Fourth of July, or Christmas, nor shall any school be kept open in any district during the time of holding the teachers' institute for such district.

Observation of holidays.

Section 1604. The board of school directors in any district in this Commonwealth shall, by a majority vote, decide which other holidays may be observed by special exercises, and on which holidays, if any, the

schools shall be closed during the whole or part of the day. And the board of school directors may provide for such vacations in its district as it deems wise:

Proviso.

Provided, That no days on which the schools are closed shall be counted as days taught.

Date of beginning of term.

Section 1605. The board of school directors of each school district shall fix the date of the beginning of the school term, and, unless otherwise determined by the board, the daily session of school shall open at nine ante meridian and close at four post meridian, with an intermission of one hour at noon, and an intermission of fifteen minutes in the forenoon and in the afternoon.

School hours.

Commencements.

Section 1606. The board of school directors may fix the date of the school commencement, and shall pay such expenses in connection therewith as it may determine.

COURSES OF STUDY.

Branches of study.

Section 1607. In every elementary public school, established and maintained in this Commonwealth under the provisions of this act, there shall be taught in the English language the following common English branches: Spelling, reading, writing, arithmetic, geography, English grammar, history of the United States and of Pennsylvania, including the elements of civil government, physiology and hygiene; also a system of humane education, which shall include kind treatment of horses, birds, and other animals, together with such other branches, including vocal music, public speaking, drawing, physical training, elementary manual training, elementary domestic science, and elementary agriculture, as the board of school directors in any district, with the approval of the proper superintendent of schools, may prescribe:

Humane education.

Vocal music domestic science, etc.

Proviso.

Physical training.

Provided, That in all school districts of the first class, physical training shall be carried on as a part of the regular course of study in the public schools.

Arrangement of courses.

Section 1608. The board of school directors in every school district in this Commonwealth, with the advice, assistance and approval of the proper superintendent of schools, shall arrange a course or courses of study adapted to the age, development, and needs of the pupils. These courses of study shall conform to any general course of study arranged by the Superintendent of Public Instruction, so far as the local conditions in respective districts permit.

Physiology and hygiene.

Effect of alcoholic drinks, etc.

Section 1609. Physiology and hygiene, which shall in each division of the subject so pursued include special reference to the effect of alcoholic drinks, stimulants, and narcotics upon the human system, and which shall also include special reference to tuberculosis and its prevention, shall be introduced and studied as a regular branch by all pupils in all depart-

ments of the public schools of this Commonwealth, and in all educational institutions supported wholly or in part by money from this Commonwealth. Tuberculosis.

Section 1610. Instruction in humane education shall be given to all pupils up to and including the fourth grade, and need not exceed half an hour each week during the whole school term. No cruel experiment on any living creature shall be permitted in any public school of this Commonwealth. Humane education. Experiments.

Section 1611. Teachers in the public elementary schools in this Commonwealth shall, under the direction of the proper superintendents of schools, grade and classify the pupils in their schools so that they may pursue the courses of study herein provided for, and all pupils found proficient may be promoted twice each year. Grading and classification of pupils. Promotions

Section 1612. In school districts of the second, third and fourth class, every teacher in the public elementary or high schools shall make and keep a proper record of the work and progress of each pupil, and at the end of each term shall include, in the last monthly report required from such teacher by the provisions of this act, the grade of proficiency of each pupil and his standing in the several branches pursued by him in said school, as well as the conduct of such pupil, together with such recommendations for his promotion or retention for additional preparation as such teacher deems just and proper; and until his record and report as herein required shall have been examined and approved by the district superintendent, supervising principal, or the secretary of the board of school directors, no teacher shall be paid any salary for the last month of his term. Second, third and fourth class. Record of work. Monthly report. Examination and approval.

Section 1613. The district superintendent, supervising principal, or secretary of the board of school directors, in every school district in this Commonwealth, shall on or before the opening day of school in each term furnish to each teacher or principal in every school a true copy of the standing of each pupil in such school, together with the recommendation made thereon by the principal or teacher of said school at the close of the preceding term. Copy of standing of pupils.

Section 1614. In school districts of the second, third, and fourth class, every teacher employed in the public schools in this Commonwealth shall, at the end of each school month, or within five days thereafter, make a report for the past month to the board of school directors in the district, such report to state correctly the number of days the schools were kept open, and, if closed on any days, the reason therefor, the number, age, and sex of all pupils, and the number of days attended by each. Such reports shall be made on blank forms to be furnished the teachers by the board of school directors, and no teacher shall be paid until Second, third and fourth class. Monthly report. Contents.

Filing of reports.

Proviso.

such report is made; such reports shall be filed with the secretary of the board, and shall at all times be open to inspection by the public: Provided, That any school principal may make such report for the entire school.

ARTICLE XVII.

HIGH SCHOOLS.

Classification.

First class.

Second class.

Third class.

Proviso.

Section 1701. All high schools maintaining four or more years' courses of study, of not less than nine months in each year, shall be high schools of the first class. All high schools maintaining three years' courses of study, of not less than eight months in each year, shall be high schools of the second class. All high schools maintaining two years' courses of study shall be high schools of the third class. The class to which any high school belongs shall be determined by the length of its shortest course for graduation: Provided, That hereafter no new high school shall be established in a school district of the fourth class without the consent of the Superintendent of Public Instruction and of the superintendent of schools of the county in which such district is located.

Number of teachers.

Section 1702. Every high school of the first class shall employ at least three properly qualified teachers during the entire term, and every high school of the second class shall employ at least two properly qualified teachers during the entire term.

Admission of pupils.

Section 1703. In all school districts there shall be admitted to the public high schools therein all children, under the age of twenty-one years, residing within the school districts, who shall be found qualified for admission thereto, after having undergone such an examination as shall be prescribed by the board of school directors, subject to such rules and regulations as the Superintendent of Public Instruction shall prescribe, together with such additional pupils from other districts as are herein provided for.

Second, third and fourth class.

Section 1704. Except in school districts of the first class, the board of school directors of every school district which shares in the special appropriation for high schools shall employ for its high school, during the entire term, a sufficient number of teachers for the teaching of any of the following branches; namely: bookkeeping, civil government, general history, algebra, geometry, rhetoric, English literature, Latin (including Caesar, Virgil, and Cicero), physical geography, and the elements of botany, of zoology, of physics, and of chemistry. But no teacher shall be employed to teach any branch other than those enumerated in his certificate.

Branches of study.

Annual statement.

Section 1705. The board of school directors of every district maintaining a high school shall, on or before the first day of September of each year, furnish to the

Superintendent of Public Instruction a sworn statement, giving such information concerning said high school as he may require.

Supervision.

Section 1706. Every public high school shall be under the supervision of the superintendent of the county or district in which said high school is situated.

Where pupils may attend.

Section 1707. Pupils residing in school districts in which no public high schools are maintained may attend, during the entire term, the high schools in other districts which are nearest or most convenient to their homes. If any district maintains a high school with a course less than a four years' course, pupils who have satisfactorily completed the same may attend, during the remaining years of a three or four years' course, the nearest or most conveniently located high school of such class as they may desire to attend: Provided, That pupils wishing to attend a high school in a district other than the one in which they reside shall obtain the consent of the board of school directors of the district in which such high school is located, before attending the same.

Proviso.

Consent of board.

Certificate as to non-resident pupils.

Section 1708. The board of school directors in any district maintaining a high school which is attended by any pupils residing in another district, as herein provided, shall, at the close of the term, properly certify to the board of school directors of the district in which such pupils reside, the names of all such pupils and the length of time they attended said high school, together with the cost of tuition, text-books, and supplies for such attendance, which shall not exceed the cost of tuition, text-books, and supplies of other pupils in said high school pursuing similar studies for the same length of time, and the cost of such tuition, text-books, and supplies shall, within thirty days after being so certified, be paid to the district maintaining such high school by the district to which the same was so certified.

Payment of cost.

Attendance at more convenient school.

Section 1709. If any child has completed the elementary course of study in the public schools of the district in which he resides, and resides three or more miles, by the public road, from the nearest high school in said district, unless proper free transportation is furnished, he may attend any more convenient high school in another district, without the consent of the board of school directors of the district in which he resides, and the district in which he resides shall be liable to the district whose high school he attends for the cost of his tuition, text-books, and supplies, as provided for in this act.

Cost.

Approval of superintendent or principal.

Section 1710. All pupils desiring to attend any high school outside the district in which they reside shall first satisfy the superintendent having supervision of

the district in which they reside, as well as the superintendent or principal of said high school, of their fitness to enter the same.

Estimate of cost per pupil.

Section 1711. The board of school directors of any district, in which there is located a high school receiving a share of any appropriation made specifically for the maintenance of said high schools, shall deduct its share of the last such appropriation received, from the total cost of tuition, text-books, and supplies, before computing the cost per pupil, in order to certify properly the expense for pupils attending the same from other districts.

Recommendation of courses of study.

Section 1712. It shall be the duty of the superintendent having supervision over any high school to prepare, and recommend to the board of school directors maintaining the same, suitable courses of study, which shall be adopted by said board of school directors, with such changes as they may deem wise, subject to the provisions of this act.

Apportionment of appropriations.

Section 1713. From the annual appropriations in aid of high schools, a high school of the first class shall receive, each year, a sum not exceeding eight hundred dollars; a high school of the second class, a sum not exceeding six hundred dollars; a high school of the third class, a sum not exceeding four hundred dollars:

Proviso.

Agriculture.

Provided, That any high school which shares in any appropriation hereafter made for township high schools shall give such instruction in agriculture as the Superintendent of Public Instruction shall prescribe. If the apropriation is insufficient to pay the maximum amounts, as above specified, then the appropriation shall be distributed to the schools of the respective grades in such a manner that each school shall receive its pro rata share thereof.

Joint high school.

Section 1714. If two or more districts establish a joint high school, under the provisions of this act, said high school shall share in the special appropriation made for high schools, under regulations made by the Superintendent of Public Instruction.

Power to confer degrees.

Section 1715. The power to confer academic degrees, honorary or otherwise, heretofore granted to and possessed by any board of public education, board of school directors, or controllers of any school district, at the time of the passage of this act, is hereby vested in the board of public education or school directors of such school district created by the provisions hereof. And any public high school, in any school district, existing at the time of the passage of this act, with a course of study of not less than four years, and upon whose students of the full prescribed course of study such academic or other degrees have heretofore been conferred, shall be continued by the said board of public education or school directors of the district in which it shall

be located, under such name or title, with such regulations, and courses of study of such length and character, as the said board may deem necessary.

ARTICLE XVIII.

JOINT SCHOOLS.

Establishment and maintenance.

Section 1801. The boards of school directors in any two or more adjoining school districts may establish, construct, equip, furnish, and maintain joint elementary public schools, high schools, or any other kind of schools or departments provided for in this act. The cost of establishing, constructing, equipping, furnishing, and maintaining such joint schools or departments shall be paid by the several districts establishing the same, in such manner and in such proportion as they may agree upon. The action of the several boards establishing and maintaining such joint schools or departments shall be recorded in full in the minutes of the respective boards.

Cost.

Record of boards' action

Joint meetings.

Section 1802. The several boards of school directors, establishing and maintaining such joint schools or departments, are hereby authorized to meet jointly, and exercise the same power and authority over the same as the several boards exercise over the schools in their respective districts. The title to any real estate, acquired for the purpose of establishing any such joint school or department, shall be held in the name of one or more of the districts establishing the same, as they may agree. No joint school or department shall be established without receiving the affirmative vote of a majority of the members of the board of school directors in each district establishing the same.

Title to real estate.

Agreement.

Section 1803. No joint school or department of any kind shall be established, unless the several districts intending to establish the same shall first enter into and record in their respective minutes a written agreement, by and among themselves agreeing that such proposed joint school or department shall be established and maintained by the several districts, in such manner and proportion, and upon such terms as the several districts may then agree upon, and no change shall be made therein without the consent of each district first obtained, by the affirmative vote of a majority of the school directors thereof.

Annual meeting.

Treasurer.

Section 1804. The several boards of school directors of the school districts establishing such joint school or department shall meet in joint session at least once a year, for the purpose of employing the necessary teacher or teachers for such joint school or department, and fixing the salary of the same, and at such joint session they shall elect, from the treasurers of their respective districts, one who shall act as the treasurer of such joint school or department, to whom

shall be paid, by the several districts establishing such joint school or department, the amount agreed upon to be contributed by each district for the support of such joint school or department; and they shall fix the salary of the treasurer of such joint school or department annually, at an amount not exceeding two per centum of the funds passing through his hands: Provided, That whatever matter is required by law to be decided by a vote of the majority of all the directors of a school district shall, in a joint school or department, also be required to be decided by a majority vote of all the directors in each district.

Maintenance.

Proviso.

Majority vote.

Joint school committee.

Section 1805. The boards of school directors, establishing any joint school or department, may supervise and direct its affairs, by meeting jointly, in the same manner as the affairs of the school district are managed; or they may agree that the affairs of such joint school, except the purchasing of the necessary site and the employing and the fixing of the salary of the teacher or teachers, may be delegated to a joint school committee, to be composed of one or more members from each board establishing such joint school or department, as may be agreed upon; and where the management of such joint school or department is conferred upon such joint school committee, every board of school directors of the several districts establishing such joint school or department shall, annually, during the month of June, select one or more of its members who, with the members chosen in like manner in the other districts, shall be known as the joint school committee of such districts, which committee shall have all the powers and duties, and be subject to all the liabilities, with reference to the supervision, maintenance, and regulation of such joint schools or departments, as are now conferred or imposed by law upon school boards generally, excepting such duties as are hereinbefore reserved to be exercised by the several boards meeting in joint session. Such joint school committee shall have no power to create any indebtedness that shall be binding upon such districts. Such joint boards, or joint school committee, shall organize annually by electing a president and secretary, and the expenses of maintaining such joint school or department shall be paid by warrant, drawn on the treasurer of such joint school or department by the president and secretary of such joint board or school committee, as well as all expenses necessary to maintain properly such joint school or department.

Powers, duties and liabilities.

Duties reserved.

Organization.

Warrants.

Bond of treasurer.

Section 1806. The treasurer of each joint school or department shall give an approved bond to the several districts establishing the same, to be filed with the president of any one of the boards of school direc-

tors establishing such joint school or department. The account of such treasurer shall be audited in the same manner and by the same auditors as his account as treasurer of the school district is audited. Such joint school treasurer shall be subject to all the provisions of this Act, the same as the treasurer of any school district, so far as they apply to him. Audit of accounts.

Section 1807. Any school district joining in the establishment of a joint school or department, as herein provided, shall have the same power to raise the necessary funds to pay its share of establishing and maintaining such joint school or department as it has to raise funds to establish and maintain any public school. Power to raise funds.

Section 1808. The several school districts establishing any joint school or department may, at any time by a majority vote of the school directors of their respective districts, discontinue any such joint school or department, and the property belonging to the same, when discontinued, shall, unless otherwise agreed upon by the several districts, be disposed of and distributed to and among them in the same proportion as it was originally contributed. Discontinuance of school.

ARTICLE XIX.

VOCATIONAL AND OTHER SPECIAL SCHOOLS.

Section 1901. The board of school directors of any school district of the second, third, or fourth class in this Commonwealth, upon the application of the parents of twenty-five or more pupils above the age of fourteen years, residents of the school district, shall open a free evening school for their instruction in spelling, reading, writing, arithmetic, and such other branches as the board may deem advisable; such evening school to be kept open for a term of not less than four months in each year, each of said months to consist of twenty days, and each evening session to be open at least two hours. No pupil shall be admitted to said evening school who is unemployed during the day, or in actual attendance upon any school, either public or private, during the day: Provided, That when the average daily attendance falls below fifteen pupils, the board of school directors may close such evening school for the remainder of the term. Free evening schools. Term. Admissions. Proviso.

Section 1902. The board of school directors of any school district of the second or third class in this Commonwealth, when requested by seventy-five or more taxpayers of the district, shall establish and equip an evening manual training school, for pupils above the age of fourteen years, and shall keep the same open as many months in the year as day schools are kept open: Provided, That no such evening manual train- Evening manual training school. Term. Proviso.

ing school shall be opened unless at least twenty-five pupils of the district apply for admission thereto, and the same shall be closed by the board of school directors when the average attendance falls below fifteen.

Certificates.

Section 1903. All teachers of evening schools must have proper certificates as provided in this act.

Kintergartens.

Section 1904. The board of school directors in any school district where no kindergartens are established, or in addition to any kindergartens established by such district, may co-operate with and assist any kindergarten that has been or hereafter may be established by any non-sectarian association or agency.

Agricultural school.

Section 1905. Any board of school directors in this Commonwealth, establishing an agricultural school, may, in connection therewith, acquire in the manner hereinbefore provided, such a sufficient amount of land as the board of school directors may determine, for the purpose of such agricultural school, and may equip and maintain the same in a proper manner to be used in connection therewith.

Eligibility.

Section 1906. Any board of school directors may admit persons less than six years of age, or more than twenty-one years of age, to suitable special or vocational schools or departments.

ARTICLE XX.

STATE NORMAL SCHOOLS.

Normal school districts.

Section 2001. There shall be thirteen Normal School districts in this Commonwealth, as now provided, and one State Normal School in each district.

Delaware, Chester, Bucks, and Montgomery counties shall be the First Normal School district, and the State Normal School at West Chester shall be the State Normal School in this district.

Lancaster, York, and Lebanon counties shall be the Second Normal School district, and the State Normal School at Millersville shall be the State Normal School in this district.

Berks, Schuylkill, and Lehigh counties shall be the Third Normal School district, and the State Normal School at Kutztown shall be the State Normal School in this district.

Northampton, Carbon, Monroe, Pike, Luzerne, Lackawanna, and Wayne counties shall be the Fourth Normal School district, and the State Normal School at East Stroudsburg shall be the State Normal School in this district.

Wyoming, Sullivan, Susquehanna, Bradford, Lycoming, and Tioga counties shall be the Fifth Normal School district, and the State Normal School at Mansfield shall be the State Normal School in this district.

Dauphin, Northumberland, Columbia, Montour, Union, Snyder, Perry, Juniata, and Mifflin counties shall be the Sixth Normal School district, and the State Normal School at Bloomsburg shall be the State Normal School in this district.

Cumberland, Adams, Franklin, Fulton, Bedford, Huntingdon, and Blair counties shall be the Seventh Normal School district, and the State Normal School at Shippensburg shall be the State Normal School in this district.

Centre, Clinton, Clearfield, Elk, Potter, and Cameron counties shall be the Eighth Normal School district, and the State Normal School at Lock Haven shall be the State Normal School in this district.

Cambria, Indiana, Armstrong, and Westmoreland counties shall be the Ninth Normal School district, and the State Normal School at Indiana shall be the State Normal School in this district.

Washington, Fayette, Greene, and Somerset counties shall be the Tenth Normal School district, and the State Normal School at California shall be the State Normal School in this district.

Allegheney, Butler, and Beaver counties shall be the Eleventh Normal School district, and the State Normay School at Slippery Rock shall be the State Normal School in this district.

Lawrence, Mercer, Venango, Crawford, and Erie counties shall be the Twelfth Normal School district, and the State Normal School at Edinboro shall be the State Normal School in this district.

Jefferson, Clarion, Forest, Warren, and McKean counties shall be the Thirteenth Normal School district, and the State Normal School at Clarion shall be the State Normal School in this district.

Purpose.

Section 2002. The State Normal Schools shall be a part of the public school system of the Commonwealth, and their purpose the education and training of teachers.

Management.

Section 2003. The pecuniary and other affairs of each State Normal School shall be managed by a board of eighteen trustees, nine elected by the contributors or stockholders, and nine appointed by the Superintendent of Public Instruction. The trustees, on the part of the contributors or stockholders, shall be elected from their own number, at a meeting to be held on the first Monday in May, annually; three members to be elected each year, and to serve three years. Any vacancies in the trustees, on the part of the stockholders, shall be filled by the remaining members of the board of trustees, for the remainder of the unexpired terms. All trustees of any State Normal School, now serving, shall continue to serve as such, subject to the provisions of this act.

Trustees. Stockholders.

Term.

Trustees for State.

Section 2004. The contributors or stockholders shall, at the annual meeting, select and nominate to the Superintendent of Public Instruction twice as many persons as are to be appointed on the board of trustees on the part of the State, from whom, if satisfactory, he shall appoint the required number of trustees, to serve for three years; but if the nomination so made be not satisfactory to the Superintendent of Public Instruction, he shall, with the advice and consent of the Governor, choose others deemed more suitable. When any vacancy occurs among the trustees, on the part of the State, the remaining members of the board of trustees shall select and nominate to the Superintendent of Public Instruction two persons for each such vacancy, from whom, if satisfactory, he shall appoint a trustee on the part of the State for the remainder of the unexpired term. But if the nominations so made be not satisfactory to the Superintendent of Public Instruction, he shall, with the advice and consent of the Governor, choose another deemed more suitable.

Term.

Organization.

Section 2005. The board of trustees of each State Normal School shall have a president and secretary, who shall be members, and a treasurer, who shall not be a member, of said board. The board shall hold meetings, at least once every three months, and seven trustees shall be necessary to constitute a quorum to do business. All changes in by-laws and rules for regulating the proceedings of the board must be approved by the Superintendent of Public Instruction.

Meetings.

Secretary's compensation.

Section 2006. No trustee of any State Normal School, except the secretary, for proper duties of his office, shall receive from such school any compensation for services rendered to the school, but any of them may, at the discretion of the board of trustees of said school, receive a fee not exceeding three dollars ($3.00) per meeting and be reimbursed for actual expenses incurred in attending meetings of the board of trustees, or for expenses incurred in rendering other properly authorized services to the school.

Expenses.

Liens.

Section 2007. In case the real estate of any State Normal School, upon which the Commonwealth has a lien or liens by mortgage, shall be exposed to sale by judicial process, it shall be lawful for the State Board of Education, if in its opinion the interests of the Commonwealth will thereby be profited, to cause a bid or bids to be made on behalf of the Commonwealth at any such sale, for such sum or sums of money as may, in its judgment, be necessary to secure and protect the interests of the Commonwealth; the title, in case the property shall be struck down at its bid, to be taken in the name of the Commonwealth: Provided, That in no case shall any such bid or bids exceed the

Judicial sale.

Proviso.

amount of said lien or liens, together with prior liens, if any such exist.

Return to Auditor General.

Section 2008. In case any real estate shall, at any such sale, be struck down on the bid of the State Board of Education, it shall make return of its action in the premises to the Auditor General, who, upon approving the same, shall give a certificate of the fact and amount payable out of any appropriation made or to be made for that purpose.

Devises, gifts, grants, etc.

Section 2009. Any State Normal School may receive, hold, and use, under the direction of its trustees as aforesaid, any devise, bequest, gift, grant, or endowment of property, whether real or personal, which may be made to it, and the same, if accepted, shall be so applied by the trustees as shall, in the opinion of the majority of them, increase the efficiency and usefulness of the said school, subject, however, to any terms, conditions, or restrictions which may be attached to such devise, bequest, gift, grant, or endowment, not inconsistent with the spirit and purpose of this act, and the said trustees shall have authority to bring suit in their name as trustees, and to do all other things necessary for the recovery, use, and application of the same.

Annual statement.

Section 2010. The trustees of each of said State Normal Schools shall annually, in the month of August, furnish, under oath or affirmation of the president of the board of trustees, to the Superintendent of Public Instruction, a full account of its pecuniary condition, showing income and debts, if any, salaries and other expenses, together with the number of students admitted and graduated, improvements made during the preceding year, and such other information as the said Superintendent of Public Instruction may, from time to time, by his general circular to all of said schools, require to be furnished, and each of said schools shall always be open to the visitation and inspection of said Superintendent of Public Instruction, and the superintendents of public schools within the Normal School district.

Visitation and inspection.

Principal, professors, et al.

Section 2011. The trustees of each State Normal School shall appoint a principal, and such professors, teachers, and other officers and employees as the condition of the school and the number of students may require.

Duties of principal.

Section 2012. The principal shall teach such classes as may be assigned to him by the trustees, and he shall be charged with the entire discipline and government of the school, in conformity with such regulations as shall, from time to time, be adopted by the trustees and approved by the Superintendent of Public Instruction.

Duties of teachers, et al.

Section 2013. The professors, teachers, and other officers and employees shall teach such branches, or perform such duties, as shall be assigned them by the trustees or by the principal.

No religious test.

Section 2014. No religious test or qualification shall be required to entitle any one to become a contributor, stockholder, trustee, professor, teacher, or student in any State Normal School.

Model schools.

Section 2015. Each State Normal School shall have one or more practice or model schools, with not less than one hundred pupils, and so arranged that the students of the normal schools shall therein acquire a practical knowledge of the art of teaching, under the instruction of their proper teachers. It shall be lawful for the trustees of any State Normal School, and the board of school directors of any district, to enter into an arrangement or agreement between such trustees and such board of school directors, by which all or part of the pupils of such school district may be instructed in the model school of any State Normal School, and the expenses of such instruction shall be paid as may be agreed upon between the board of school directors of such district and the trustees of such State Normal School. Such action of the said school district or districts and the trustees of such State Normal School shall be entered, respectively, upon the minutes of the said respective boards.

Courses of study.

Section 2016. Meetings of the principals of the several State Normal Schools, for the purpose of making a course or courses of study for said schools, and arranging other matters coming within their jurisdiction as a body, shall be called at Harrisburg, or elsewhere, by the Superintendent of Public Instruction, whenever he shall deem it necessary, or upon a request so to do, made by three principals of State Normal Schools.

Qualifications for admission, etc.

Section 2017. In all of the State Normal Schools, the length of the course or courses of study, the qualifications for admission thereto, and for graduation therefrom, and the branches or subjects to be included therein, shall be determined by the principals of the State Normal Schools, and the action of a majority of said principals shall be binding on all the schools in reference to the length of the course or courses of study in the State Normal Schools, the qualifications for admission thereto and graduation therefrom, and the branches or subjects to be included therein, when approved by the Superintendent of Public Instruction.

Text-books.

Section 2018. All text-books used in a State Normal School shall be selected by its proper professors and teachers, with the approval of the principal thereof.

Boarding and tuition.

Section 2019. The cost of boarding and tuition shall be fixed by the trustees of the several State Normal

Schools, with the approval of the Superintendent of Public Instruction, but no difference in the charge for boarding and tuition shall be made in favor of any students pursuing similar studies.

Agreement to teach.

Section 2020. The tuition of all students at the State Normal Schools, who are not less than seventeen years of age, and who sign an agreement to teach in the public schools of this Commonwealth for not less than two years, and who are pursuing regular courses in pedagogy therein, shall be paid by the Commonwealth, and sufficient appropriations shall be made for this purpose. The trustees of any State Normal School, when it does not interfere with its purpose to educate and train teachers, may admit other students than those preparing to teach: Provided, That all such students, except those in the model school, shall pay regular tuition: And provided, That when there is insufficient room for all who apply, preference shall be given to those preparing to teach.

Proviso.

Proviso.

Normal School Examiners.

Section 2021. The State Board of Normal School Examiners at a State Normal School shall consist of the Superintendent of Public Instruction, or his representative, as president; of two principals of State Normal Schools, of whom the principal of the school where the students are to be examined shall be one, together with a sufficient number of county, district, or assistant county or district superintendents, all to be appointed by the Superintendent of Public Instruction.

Questions for examinations.

Section 2022. In order to make the final examination as nearly uniform as possible, the Superintendent of Public Instruction may have the questions for these examinations prepared and furnished to the different State Normal Schools.

Section 2023. No person shall graduate at a State Normal School who receives more than one negative vote from a state board of examiners conducting the examination therein.

Expenses.

Section 2024. The expenses incurred by the members of the several State Boards of Normal School Examiners shall be paid by the State, and the sum of three thousand dollars ($3,000.00), or so much thereof as may be necessary, shall be annually appropriated for that purpose.

Certificates.

Section 2025. Every graduate from a State Normal School shall receive a State Normal School certificate, signed by the Superintendent of Public Instruction, the President of the State Board of Normal School Examiners, the principal of the State Normal School, and the president or secretary of the board of trustees thereof. Such certificate shall set forth expressly the branches in which its holder is qualified to teach, and shall be received as full evidence of his qualification

to teach any of the branches therein enumerated, for two full annual school terms, in any public school in this Commonwealth, without further examination.

Diplomas.

Section 2026. A graduate of a State Normal School who, after such graduation, has taught for two school terms in the public schools of this Commonwealth, and who presents a certificate of good moral character, and of successful teaching for two school terms, from the board or boards of school directors in whose employment he has taught, countersigned by the proper superintendent or superintendents, shall be granted a State Normal School diploma by the State Normal School from which he was graduated, signed by the same persons who sign the State Normal School certificates from such school, which diploma shall be received as full evidence of his qualification to teach any of the branches set forth in his State Normal School certificate or diploma, in any public school in this Commonwealth without further examination.

Additional branches.

Section 2027. Whenever the holder of any State Normal School certificate or diploma shall have prepared for examination in any branches of study additional to those in such certificate or diploma, he may attend the annual examination at a State Normal School, and any branches in which he is found duly qualified shall be added to and included in said certificate or diploma.

Issuing of certificates.

Section 2028. No temporary or provisional teachers' certificate, of any less degree of scholarship than that required by the regularly adopted course or courses of the State Normal Schools, shall be issued by any State Normal School or by the faculty thereof.

Condemnation of land.

Section 2029. It shall be lawful for any State Normal School in this Commonwealth to condemn and take any land required by it for its use, in the same manner as land may be condemned and taken by any school district as prescribed in this act; Provided, That before any land is so taken by any State Normal School, a proper bond with sufficient security, to be approved by the court of common pleas of the proper county, conditioned for the payment of all damages incurred on account of taking such land, shall be filed in said court, for the use of the owners of the land so taken.

Insurance money.

Section 2030. All moneys that may be received by this Commonwealth, from any insurance policy or policies upon the buildings belonging to any of the State Normal Schools, shall be held by the State Treasurer in trust, for the repairing and rebuilding of the part covered by such insurance policy or policies, under the direction of the trustees of such Normal Schools.

Warrants.

Section 2031. When the trustees of any State Normal school, whose buildings insured for the use of the State have been injured or destroyed by fire, shall have repaired or rebuilt the part covered by such

insurance policy or policies, and shall satisfy the Auditor General that the amount of insurance money received by the State has been expended on such repairs or rebuilding, the Superintendent of Public Instruction shall draw his warrant in favor of said State Normal School for the amount of such insurance money, or for such part thereof as the Auditor General is satisfied has been expended on such repairs or rebuilding, and the State Treasurer is authorized and required to pay said warrant out of the insurance money thus received.

Purchase of Normal Schools by the State.

Section 2032. In order that the State Normal Schools may be owned and controlled by the Commonwealth, for the better preparation of teachers, the State Board of Education is hereby authorized and empowered to inquire into the propriety of purchasing any State Normal School, and if it be found that the stockholders, or other owners thereof, are desirous of selling and conveying the property of any such institution to the Commonwealth, it shall be the duty of the said State Board of Education to make the most advantageous arrangements possible for the purchase of the same, and when such negotiations have been concluded, to enter into an agreement, in writing, embodying the terms and conditions upon which the purchase is effected and the property agreed to be conveyed: Provided, That in no case shall more be paid for any State Normal School than the actual amount originally paid for the stock thereof.

Proviso.

Appropriations.

Section 2033. For the purpose of making payment for the property of any such schools, purchased as herein provided, there shall be appropriated in the general appropriation bill of nineteen hundred and eleven (1911), and at each subsequent session of the Legislature, not less than two hundred thousand dollars ($200,000), until all of the State Normal Schools which are offered on terms acceptable to the State Board of Education have been bought, which shall be paid out by warrant, drawn by the Auditor General upon the State Treasurer, when certified by the State Board of Education:

Proviso.

Provided, however, That when the funds available for such purchases are insufficient to pay for all the State Normal Schools offered on terms satisfactory to the State Board of Education, the said board shall select the schools whose purchase it deems most advantageous to the Commonwealth at that time; and,

Proviso.

Provided further, That the agreements made by the State Board of Education with the stockholders of any State Normal School, as herein authorized, shall be submitted to and approved by the Governor of this Commonwealth before it is binding and before any payment on account of the same is made.

Approval of Governor.

Deeds.

Section 2034. Upon the payment of the purchase money to the stockholders of any such State Normal

School, properly executed deeds of conveyance for all of its real estate, together with all of its other property, shall be delivered to the Commonwealth, and thereafter such State Normal School shall be owned, controlled, and maintained as a State institution.

Dissolution of corporation.

The corporation of any State Normal School, conveying its property to the Commonwealth as herein provided, shall then be dissolved by the stockholders thereof in the manner provided by law.

Management.

Section 2035. Upon the conveyance of the property of any State Normal School to the Commonwealth, said school shall be managed by a board of nine trustees, residents of the Normal School district in which said school is located, to be appointed by the State Board of Education,—three to serve until the first Monday of the first ensuing July, three to serve until the first Monday of the second ensuing July, and three to serve until the first Monday of the third ensuing July, and, each year thereafter, three to serve for three years, but all such trustees shall continue to serve until their successors are appointed. A majority of the members thereof shall be a quorum, for the transaction of business at any meeting of such board. The State Board of Education may remove any trustees at any time. All vacancies in such board shall be filled, for the unexpired terms, by the State Board of Education.

Trustees.

Terms.

Quorum.

Rules and regulations.

Section 2036. Subject to any existing or subsequent laws regulating the affairs of the State Normal Schools of this Commonwealth, the State Board of Education shall prescribe rules and regulations for the management and control of any State Normal Schools acquired by this Commonwealth.

Pecuniary affairs.

Section 2037. The board of trustees of each State Normal School owned by this Commonwealth shall manage its pecuniary and other affairs, subject to the Constitution and laws of this Commonwealth, and the rules and regulations prescribed by the State Board of Education therefor, and may make and enforce such additional rules and regulations as may be deemed wise and expedient for the proper conduct of the institution, subject to the approval of the State Board of Education.

Forms and instructions.

Section 2038. It shall be the duty of the Superintendent of Public Instruction to prescribe all forms, and to give all instruction required, for carrying into full effect the acts establishing and regulating the State Normal Schools, on all points not herein set forth in detail.

Declaration by the General Assembly.

Section 2039. The General Assembly hereby declares that it would have passed this act if this article, number twenty, relating to Normal Schools, were not in it, and that if said article twenty, relating to Normal Schools, or any part thereof, is declared unconstitutional, the remainder of this act shall continue in full force and effect.

ARTICLE XXI.

TEACHERS' INSTITUTES.

County.

Annual meetings.

Section 2101. The county superintendent in each county of this Commonwealth is hereby required annually, at such time and place as he or a properly authorized committee of teachers acting with him may deem most convenient, to call the teachers of the public schools, and invite the teachers of other institutions of learning in his county, to assemble and organize themselves into a teachers' institute, for their improvement in the science, art, and history of education; to continue in session at least five days, including a half-day for going to and a half-day for returning from the place of meeting of the said institute, and to be presided over by the county superintendent, or by some one designated by him, and to be subject in its general management to his control.

Roll of members.

Section 2102. Each county superintendent, upon the assembling of the teachers' institute of his county, shall cause a roll of members to be prepared, which roll shall be called at least twice every day during the session of the institute, and all absentees shall be carefully noted, or he shall otherwise determine the actual attendance of the teachers at each session, and upon the adjournment of the institute he shall ascertain the exact number of teachers who were in attendance and the length of time each attended.

Payments.

Section 2103. At the close of each annual teachers' institute, upon the presentation of the county superintendent's certificate to the treasurer of the proper county, certifying to the attendance of teachers as herein required, said treasurer is hereby authorized and required to pay immediately to the county superintendent, out of the county treasury, one dollar ($1.00) for every three days spent by the teachers of the county in attendance at the institute for that year; such money to be expended by the county superintendent in paying for instructors, and other necessary expenses of the institute: Provided, That the amount which may be drawn from the county treasury shall in no case be more than two hundred dollars ($200.00) or less than one hundred dollars ($100.00), if it shall appear from the duplicate vouchers presented by the county superintendent that this sum has been actually expended for the purpose herein specified.

Proviso.

Auditors.

Section 2104. Every annual county teachers' institute shall elect two of its members as auditors, who, with one auditor elected by the county directors' association, shall audit the accounts of said institute as provided in this act.

District.

Section 2105. It shall be lawful for the board of school directors of any school district which has elected a superintendent, and employs not less than forty teachers, by resolution at any regular meeting, duly recorded, to authorize the holding of an annual teachers' institute for said district, and in such case, in all matters pertaining to the holding of institutes, it shall be in no wise subject to the authority and jurisdiction of the superintendent of schools of the county in which said separate annual institute shall have been author-

Annual meeting.

said separate annual institute shall have been authorized, as aforesaid, the superintendent of schools of said district shall have power to call and conduct a teachers' institute, and to draw from the county treasury moneys for the support of the same, in like manner and to the same extent as the county superintendents of this Commonwealth are empowered to do, and the board of school directors of such district may, by a majority vote, appropriate such additional funds as it may deem necessary to maintain said institute.

Payments.

Length of meetings.

Section 2106. District teachers' institutes may be held throughout the school year for not less than five days, or ten half-days, which the district superintendent may select for this purpose.

Auditors.

Section 2107. The board of school directors of every school district holding an annual district teachers' institute shall, at or before the time of holding the same, appoint a proper person, who, with the two auditors elected by such institute, shall audit the accounts of the annual district teachers' institute as herein provided.

Allowance for attendance.

Section 2108. All boards of school directors in this Commonwealth are authorized and required to pay, from the district funds, to the teachers employed in the public schools of their several districts, in addition to the compensation provided for in their contracts, three dollars per day for each day's actual attendance upon the sessions of the annual teachers' institute.

Payments, basis of.

Section 2109. Payment for said institute attendance shall be based on the official reports made to the several boards of school directors by the proper county or district superintendent, who shall report the daily attendance of teachers to the respective boards by which they are employed, and such payment shall be allowed by the boards of school directors and paid to the teachers entitled to receive the same. The time in attendance at the annual teachers' institute shall not be considered as days taught, or lessen the actual number of days in the minimum school term.

Absentees. Forfeiture.

Section 2110. Every teacher absenting himself from the annual teachers' institute shall forfeit to the school district employing him a sum equal to that which he would have received for attendance at such institute, this sum to be deducted from his salary for the month next following the date of convening said institute, unless satisfactory reason for such absence be given to the superintendent holding such institute.

Section 2111. So much of any contract between any teacher and a school district in this Commonwealth as violates any of the provisions of this article shall be null and void.

Report.

Section 2112. All county and district superintendents, immediately upon the adjournment of the teachers' institutes held in their respective counties or districts, shall report to the Superintendent of Public Instruction, on blanks furnished by him, the number of teachers in attendance, the names of instructors, the subjects upon which instruction was given, the degree of popular interest awakened by the proceedings, and such further information as may be required of them.

Itemized account.

Section 2113. At the close of each annual county or district teachers' institute, the county or district superintendent holding the same shall, within thirty days thereafter, prepare an itemized account of all the receipts and disbursements received or made on account of such institute, and submit the same, properly sworn to, together with the proper vouchers therefor, to the auditors herein provided for to audit the same.

Institute funds.

Section 2114. Any institute funds remaining in the hands of the superintendent at the close of the annual teachers' institute, as appears by the audit of its accounts, shall constitute an institute fund, and be accounted for by the superintendent in the accounts of the next annual teachers' institute, or be paid over to his successor in office.

ARTICLE XXII.

SCHOOL DISTRICTS OF THE FIRST CLASS.

Additional provisions.

Section 2201. Subject to the general provisions of this act, and in addition to the several provisions regulating the affairs of school districts of the first class, as otherwise provided, the following additional provisions shall relate to and regulate school districts of the first class.

The Board of Public Education.

Section 2202. In each school district of the first class, the board of school directors herein provided shall be known and designated as "The Board of Public Education" of said district. The board of public education in each school district of the first class shall suc-

Powers, rights, etc.

ceed to, and shall have and possess, all the powers, rights and privileges, not inconsistent with this act, which the present existing board of public education in its respective district now lawfully has.

SCHOOL VISITORS.

Ward districts.

Section 2203. Every school district of the first class in this Commonwealth shall be divided into ward districts, each of which ward districts shall be composed of a municipal ward of the city comprising such school district, and designated by the same number.

School visitors.

Section 2204. In each ward district of school districts of the first class there shall be elected, at the first municipal election occurring after the approval of this act, and after the creation of a new ward, seven school visitors, four for two years, and three for four years; and, at the municipal elections thereafter, four and three school visitors shall be alternately elected for four years. Their terms shall begin on the first Monday of January following their election.

Terms.

Qualifications.

Section 2205. Any citizen of this Commonwealth of good moral character, who has been a resident of the ward district for one year or more, and is past twenty-one years of age, shall be eligible as school visitor therein. Such school visitor shall, before entering upon the duties of his or her office, take the same oath of office as required of school directors in any school district in this Commonwealth. Any vacancy in the office of school visitor shall be filled by a majority vote of the remaining members of the board, for the remainder of the term.

Oath.

Vacancies.

Directors ex-officio.

Section 2206. Any person acting as a director in any sub-school district of any school district of the first class, at the time of the approval of this act, may act as a school visitor, with the school visitors herein provided, until the expiration of his term as director.

Organization.

Section 2207. The school visitors of each ward district shall serve without compensation, and shall meet and organize on the first Monday of January each year, by electing one of their number as president and one as secretary. The secretary of each board of school visitors may receive from the funds of the school district an annual salary not exceeding twenty-five dollars ($25.00), as the board of public education of the school district may determine. In case of a tie vote in the election of school visitors, the same shall be disposed of in like manner as in case of a tie vote for school directors.

Board of School Visitors.

Visits and inspections.

Section 2208. The board of school visitors in each ward district shall, at least once every three months, visit all the public elementary schools therein and inspect the same. They shall, without delay, call the attention of the board of school directors of the district, or its appropriate executive officer, to every matter requiring official action. They shall make, at least

once every three months, a written report to the board of public education of the district, respecting the condition of the schools and the needs of the ward district, especially in regard to the number, kind, equipment, and efficiency of the schools and school buildings. Report.

SCHOOL CONTROLLERS.

Section 2209. In each school district of the first class in this Commonwealth, the board of education therein, at the beginning of each fiscal year, shall elect the controller of the city comprising such district as school controller for said district. Election.

Section 2210. Every person elected as a school controller shall, before entering upon the duties of his office, take or subscribe to the oath or affirmation herein provided for school directors, and shall furnish to the school district in which he is elected a proper bond, in the amount of twenty-five thousand dollars ($25.000.00), with such surety or sureties as the board of school directors may approve, conditioned upon the faithful performance of all the duties of his office during his term. Oath. Bond.

Section 2211. The school controller in each district of the first class shall be paid, from the funds of the school district, an annual salary of four thousand dollars ($4,000.00), payable monthly. Salary.

Section 2212. The board of public education in school districts of the first class may appoint annually such clerks as it deems necessary to assist the school controller. All such appointments shall be made upon the nomination of the school controller, and their salaries shall be fixed by the board of public education before any appointment is made. The school controller shall, in addition to his salary, be furnished, by the school district in which he is elected, with necessary stationery and books, required by him in the performance of his duties as school controller. Clerks. Salaries.

Section 2213. In case there is a vacancy in the office of school controller, by reason of death, resignation, or otherwise, such vacancy shall be filled, for the remainder of the year, by the election of the city controller by the board of public education. Vacancy.

Section 2214. In every school district of the first class the school controller therein shall approve all proper school orders, drawn on the school treasurer, before the same are paid. He shall not approve any school order issued in violation of any of the provisions of this act. Approval of orders.

Section 2215. He shall at all times have access to all the accounts, books, records, and papers of the district so far as they relate to the school finances, and may require from the board of school directors, or any Access to accounts, records, etc.

person presenting any school order, such evidence or information regarding its correctness as he may deem proper.

Contracts.

Section 2216. All contracts made by any school district of the first class shall state therein on what item in the annual estimate of school expenditures the same is based, and every contract before becoming valid shall be properly certified by the school controller, who shall, at the time of so doing, charge up the amount of any such contract against the item in the annual estimate on which the same is based. No contract shall be certified by the school controller if the amount to become due thereon shall exceed the item of expenditure on which it is based as herein provided. When any such contract shall extend over a period of more than one year, the school controller shall charge against the item in the annual estimate of school expenditures, on which the same is based, only so much as is due and payable on such contract for said year.

Certification of.

Excess certification.

Section 2217. It shall be the duty of each school controller to certify all contracts, for the payment of which a sufficient sum has been provided in the annual school estimate as herein provided. If any school controller shall certify any contract in excess of the amount of the item of expenditure in the annual estimate made therefor, he together with his surety or sureties shall be individually liable on his bond therefor.

Annual estimate.

Section 2218. The annual estimate of expenses made by the board of public education in each school district of the first class, at or before the time of assessing and levying the annual school tax, shall be certified to the school controller of the district by the secretary of the board, and the said school controller shall, in a proper book or books kept for that purpose, keep an account with each item of expenditure as therein stated or thereafter changed by the board in the manner herein provided. He shall charge up against each item of such estimate all school orders drawn against the same, at the time they are approved by him, and he shall not permit any such estimate to be overdrawn. He shall furnish to the board of public education a monthly statement showing the original amount of each item of such estimate, the amount paid out thereon, and the balance, if any, on hand. If any item is exhausted he shall promptly notify the board of such fact.

Shall be certified to, controller.

Monthly statement.

Annual Itemized statement.

Section 2219. The school controller in every school district of the first class shall, on or before the tenth day of January of each year, submit to the board of public education therein an annual itemized statement of the finances of the school district for the past year, which statement shall include all assets of the district, and the source from which they were obtained, together with the amount of uncollected school taxes,

stating the amount of delinquent taxes of each year remaining unpaid. Said statement shall also set forth the disbursements named in the several items of expenditure, as well as the outstanding indebtedness of the district, if any, together with the rate of interest on the same and when it becomes due; it shall include a statement of the sinking-fund of the district, if any, including the securities therein held by the district. Said statement shall also contain such further facts and information as the controller may see proper to report.

Sinking-fund.

Section 2220. Said school controller shall also furnish annually to the board of public education, on or before the first day of November, such information as he may think proper, or as may be required of him by the board of school directors, in order to enable it to prepare the annual estimate of expenditures and tax levy for the coming school year.

Additional information.

Section 2221. The annual financial statement, or any part thereof, furnished by the school controller in any district of the first class to the board of school directors therein, may be published by the board of public education in two newspapers, designated by the board, once a week for three successive weeks, beginning the first week after the same has been furnished to it.

Publication of statement.

THE BOARD OF PUBLIC EDUCATION.

Section 2222. The duties of the board of public education in districts of the first class, in addition to the duties prescribed in this act, shall be to define the general policies of the school system and to legislate upon all matters pertaining thereto, to determine and direct all expenditures for the maintenance and improvement of the school system, to appoint the officers herein prescribed and define their duties, to appoint teachers, and in general to legislate upon all matters concerning the conduct of the schools subject to the provisions of this act.

Additional duties of the board.

Section 2223. The board of public education in each school district of the first class shall annually, on the first Monday in January, appoint a district superintendent, to be designated and known as superintendent of schools, and may also at the same time appoint a superintendent of buildings, and a superintendent of supplies, and shall prescribe their duties and fix their salaries. They shall be responsible to the board for the conduct of their respective departments, shall make annual reports to the board, and shall from time to time submit such plans and suggestions for the improvement of the schools and the school system as they shall deem expedient or as the board of public

Superintendent of schools.

Superintendent of buildings.

Superintendent of supplies.

Annual reports.

Proviso.

education may require: Provided, That the superintendent of schools may be elected for a term of four years.

Supervision of instruction.

Section 2224. Supervision of all matters pertaining to instruction in all the schools, under the direction and subject to the approval of the board of public education, shall be vested in the superintendent of schools, associate superintendents, assistant district superintendents, and school principals. Associate and assistant district superintendents may be appointed by the board of school directors, upon the nomination of the superintendent of schools. They shall receive such compensation as the board of public education may determine. They shall be under the supervision and direction of the superintendent of schools. Assistant district superintendents shall be assigned by the superintendent of schools to administrative districts. They shall, in conjunction with the school principals, inquire into and supervise all matters relating to the government, courses of study, methods of teaching, discipline, and conduct of all schools in their respective districts, and shall report the same when required to the superintendent of schools.

Associate and assistant district superintendents.

Duties.

Qualifications of applicants.

Section 2225. The board of public education in each school district of the first class shall prescribe the mode or modes of determining the qualifications of applicants for positions as principals or teachers in the schools of the district, and shall designate the kinds or grades of teachers' certificates which may or shall be used in the district, together with the scholastic, professional, and personal qualifications required for each kind or grade of certificate.

Granting of certificates.

Certificate of physician.

Section 2226. No certificate shall be granted to any person who is not of good moral character, or to any person who shall not first have presented a certificate, from a physician recognized by the board of public education as competent for the purpose, setting forth that said applicant is neither mentally or physically disqualified by reason of tuberculosis, or any other chronic or acute physical defect, from successfully performing the duties of a teacher.

Board of examiners.

Section 2227. A board of examiners, whose duty it shall be to examine all applicants for places upon any of the eligible lists required by this act, from which appointments to serve under the board of school directors are made, may be constituted by said board. The superintendent of schools shall nominate to the board of public education for appointment such number of persons for the board of examiners as said board of public education may authorize. The superintendent of schools shall act as chairman of the board of examiners. He shall prescribe such examinations as, upon his recommendation, the board of public education may approve, or as its rules may direct.

Eligible lists.

Section 2228. Eligible lists, properly classified, containing the names of persons who have received certificates of qualification to teach, and arranged as nearly as possible in the order of rank or standing, shall be kept in the office of the superintendent of schools, and shall be open to inspection by members of the board of public education, associate and district superintendents, principals and school visitors.

Eligibility.

Section 2229. Except as superintendent of schools, associate superintendent, assistant district superintendent, director of a special branch, or as principal of or teacher in a high school or normal school, or in case of promotion or transfer from any position to another or higher position, no person shall be appointed to any educational position in the public school system, in school districts of the first class, whose name does not appear among the three highest names upon the proper eligible list: Provided, That in any district of the first class, or in one that is made a district of the first class by this act, no person holding a position at the time of the passage of this act shall be displaced by the above provision.

Proviso.

Appointment of superintendent of buildings.

Section 2230. A superintendent of buildings may be appointed by the board of school directors as herein provided. He shall be an engineer or architect of good standing in his profession, and shall give such security for the faithful performance of the duties of his office as the said board shall prescribe.

Assistants.

Section 2231. The superintendent of buildings shall be responsible for the condition and care of all school buildings and premises. He may appoint such assistants as the board of public education may authorize and approve; said assistants shall receive such compensation as the said board shall determine, and shall perform their duties to the satisfaction of the superintendent of buildings. All plans for new school constructions, additions or repairs shall be approved by the superintendent of buildings and shall be submitted to the superintendent of schools for criticism, before submission to the board of public education for adoption.

Approval of plans.

Janitors' salaries.

Section 2232. The salaries of janitors shall be fixed by the board of public education, and they shall discharge their duties under the direction and to the satisfaction of the superintendent of buildings: Provided, That the board of school visitors of each ward district, by vote of a majority of all the members thereof, shall have the right to elect suitable persons for janitors for all grammar and elementary schools in such ward district, subject to the rules of the board of education: Provided further, That in the case of other schools the superintendent of buildings shall have the right to recommend the appointment of suitable janitors, and the removal of such janitors for proper cause. But no janitor now employed shall be displaced by the provisions of this act, except for cause.

Proviso.

Election.

Proviso.

Appointment of superintendent of supplies.

Section 2233. A superintendent of supplies may be appointed by the board of public education as herein provided. He shall give such security for the faithful performance of his duties as the board shall prescribe.

Duties.

He shall be the executive agent of said board, for the purchase, custody, and distribution of all supplies needed for the schools, under such regulations as the board of school directors shall prescribe.

Assistants.

He may appoint such assistants as the board of public education may authorize and approve. Such assistants shall receive such compensation as said board may determine and shall perform their duties to the satisfaction of said superintendent.

ARTICLE XXIII.

STATE APPROPRIATIONS.

Payments.

Section 2301. All money appropriated by the General Assembly for the maintenance and support of the public schools of this Commonwealth shall be paid by order on the State Treasurer signed by the Superintendent of Public Instruction.

Apportionment and distribution.

Section 2302. All appropriations made for the maintenance and support of the public school system after the approval of this act shall be apportioned and distributed by the Superintendent of Public Instruction as herein provided.

Procedure.

Section 2303. He shall first deduct from the appropriation all items specified in this act, and such other amounts as may be required to be deducted by any appropriation bill, and the remainder of the appropriation shall be apportioned and distributed as follows:—

Procedure.

Basis.

Number of teachers.

Section 2304. One-half on the basis of the number of paid teachers regularly employed for the full annual term of the school district, not including substitute teachers, or teachers employed to fill vacancies which may occur during the school year; such number of teachers to be certified as herein provided.

Basis.

Number of children.

Section 2305. One-half on the basis of the number of children between the ages of six and sixteen residing in the respective school districts of the several counties of this Commonwealth, as reported to the Superintendent of Public Instruction under the provisions of this act.

Certificate as to number of teachers.

Section 2306. On or before the first day of October, one thousand nine hundred and eleven (1911), and annually thereafter, the president and secretary of each board of school directors shall, under oath, certify to the proper county or district superintendent the number of teachers in their school district, upon which one-half of the State appropriation is apportioned as herein provided; and, at the same time, they shall also

certify the number of children between the ages of six and sixteen years residing in their school district, as shown by the enumeration last made, in compliance with the provisions of this act. On or before the first day of November, one thousand nine hundred and eleven (1911), and annually thereafter, the said county or district superintendent shall make to the Superintendent of Public Instruction, on such blanks as shall be furnished by him, a tabulated return, by districts, of the aforesaid teachers and children of his county or district.

Number of children.

Tabulated return.

Section 2307. If any school district of the fourth class in this Commonwealth, since the passage of an act of Assembly approved April twenty-fifth, one thousand nine hundred and one (1901), (Pamphlet Laws, page one hundred and six (106), has closed one or more of its public schools, or may hereafter close one or more of the same under the provisions of this act, and provides proper free transportation for part or all of the pupils of such closed schools or school to other public schools or school, as required by this act, such district shall continue to receive from the State appropriation its proper share thereof for each such school thus closed, except that no minimum salary allowance shall be made therefor.

In case a school is closed.

Free transportation.

Section 2308. If any error in the certificates of the number of teachers or children shall occur, whereby a school district would receive more or less of the State appropriation than is justly due to such district, the county or district superintendent shall have authority, and hereby is required, to forward immediately to the Superintendent of Public Instruction a correct enumeration of teachers or children, and the Superintendent of Public Instruction shall thereupon make it the basis of the appropriation due said district.

Error in certificate.

Section 2309. At the end of any year, any balance of the State appropriation remaining on hand through forfeiture, or otherwise, shall be added to the State appropriation made for the ensuing year.

Balances.

Section 2310. The annual State appropriation, apportioned and distributed by the Superintendent of Public Instruction to any school district in this Commonwealth, shall be paid to the school treasurer of the district, and shall be used by the district, through its board of school directors, for the use of the district for the purposes mentioned in this act.

Payment to districts.

Section 2311. When any board of school directors is compelled to close any school or schools, on account of any contagious disease, the destruction or damage of a school building by fire or otherwise, and therefore is unable to keep such school or schools open for the minimum term required by this act, the Superintendent

When schools are not open.

of Public Instruction may pay to such school district any or all of its share of the annual State appropriation, as he deems proper.

ARTICLE XXIV.

TEACHERS' RETIREMENT FUNDS.

How fund is constituted.

Section 2401. The board of school directors of any district in this Commonwealth is hereby authorized and empowered to establish, contribute to, and administer as herein provided, a teachers' retirement fund. The said fund shall consist of all funds available for like purposes in said district at the time of the enactment of this law, together with such additions thereto as the board of school directors may, from time to time, appropriate for that purpose from the funds of the district, and such moneys or other property as may be donated, bequeathed, devised, or received from any other source for such purpose.

Contributions from salaries.

Section 2402. The board of school directors of any district may provide, in the contracts with its teachers, principals, or supervising officials, that they shall contribute a reasonable sum from their salaries each year to said retirement fund: Provided, That no person shall be required to contribute any part of his salary to any retirement fund, unless the same is provided for in the contract by which he is engaged.

Proviso.

Representation.

Section 2403. Where the teachers, principals, or supervising officials of any district contribute to any retirement fund, they shall be represented in making the regulations governing it, and in its control and management.

Annuities.

Section 2404. Every teacher, principal, or supervising official who retires in accordance with the regulations prescribed shall be entitled to such annuity as said regulations provide.

ARTICLE XXV.

PUBLIC SCHOOL LIBRARIES.

Management and supervision.

Section 2501. In each school district of the second, third, or fourth class in this Commonwealth, in which there now is or hereafter may be a public school library established, such library may be under the management and supervision of the board of school directors of such district, or of a board of seven library trustees, as herein provided, as the board of school directors may determine.

Library trustees.

Section 2502. In each school district of the second, third, or fourth class, where the public school library is put under the management and supervision of a board of seven library trustees, the board of library trustees shall be constituted as follows: Five library trustees, not members of the board of school directors,

shall be elected, by a majority vote of the board of school directors, from the school district at large. The five trustees so elected, together with the president of the board of school directors, and the district superintendent, if any, or, if there be no district superintendent, then the vice-president of the board of school directors, shall constitute the board of seven library trustees.

Transfer from directors.

Section 2503. The board of school directors in any school district in this Commonwealth, where the public school library is under the management and supervision of the board of school directors therein, may, at any time hereafter, place such public school library under the management and supervision of a board of seven library trustees, as herein provided, by a resolution of the board of school directors in such district, adopted by a majority vote of the board.

Terms.

Section 2504. The first appointment of five library trustees shall be made for one, two, three, four, and five years, respectively, from the first day of July following, and annually thereafter the board shall appoint one member for the term of five years; such appointments to be made during the month of June, and the terms of office to begin on the first day of July following.

Organization.

Section 2505. The board of library trustees herein provided shall organize annually, on the first Monday in July each year, by the election of a president, and the secretary of the board of school directors shall be ex officio secretary of the board of library trustees.

Rules and regulations.

Section 2506. The board of library trustees herein provided for in any school district may, subject to the approval of the board of school directors therein, make and enforce such reasonable rules and regulations for its own meetings and for the management and supervision of the public school library as it may deem proper, and shall have general charge, supervision, and management of the public school library in said district, purchase the books, maps, or other matter, appoint the librarian and other employes, and do all other things necessary for its government, preservation, and maintenance.

Appropriations.

Section 2507. The board of school directors in any school district in this Commonwealth may annually appropriate for the support and maintenance of any public school library in its district, out of its annual school taxes, such sums as it may deem proper, not exceeding one mill on the dollar of the total valuation of taxable property in the district: Provided, That when a library is first established, the board of school directors may provide for the building and establishment of such public library, or may provide for the enlargement of any library, in like manner as any public school building may be built or enlarged.

Proviso.

Orders.

Section 2508. All money paid out on account of any public school library shall be paid by a regular school order, in like manner as other school funds are paid:

Proviso.

Provided, That all accounts or sums paid out on account of any public school library shall be first approved by the board of library trustees, if there be such a board.

Vacancies.

Section 2509. The library trustees shall serve without any compensation, and any vacancy in the board of library trustees shall be filled, by the board of school directors, for the remainder of the unexpired term.

Free public nonsectarian library.

Section 2510. Instead of establishing or maintaining a separate public school library, any board of school directors may, by a two-thirds vote, join with or aid any individual or association in the maintenance, or the establishment and maintenance, of a free, public nonsectarian library, under such written agreement as it may determine, which agreement shall be entered in full in its minutes. Such agreement shall specify the manner, terms, and conditions agreed upon, for the aiding, establishment, maintenance, or management of such joint library.

Branch libraries.

Section 2511. The board of school directors or the library trustees, with the consent of the board of school directors, may circulate part or all of the books and other collections of a public school library among the several schools, or may establish branch libraries.

Book fund.

Section 2512. Whenever by subscription, or otherwise, a collection of books, or funds to purchase the same, has been obtained for a public school library for any school district, or for any school therein, it shall be the duty of the board of school directors thereof to provide a suitable place, and case or cases, for said library. But no books or other matter shall be put into any public school library, by gift or otherwise, without the approval of the library trustees, or, in lieu thereof, of the board of school directors.

Duty of board.

For use and convenience of residents.

Section 2513. For the use and convenience of the residents of the district, the board of school directors or the library trustees shall provide for keeping public school libraries open at such hours and times throughout the year as they may deem proper. The board of school directors of any school district maintaining a public school library may permit the use thereof by the residents of other school districts, under such conditions as it may prescribe

Receipts and expenditures.

Section 2514. All receipts and expenditures for any libraries established, maintained, or assisted as herein provided, and all appropriations made by any school districts for the establishment, maintenance, or assistance of any library, shall be regularly audited by the auditors of the proper school districts, and reports of the same be included in the reports of such auditors.

Audit.

Report.

Section 2515. The librarians or trustees of all public school libraries, established or maintained under this act, shall make to the State Librarian and to the Superintendent of Public Instruction reports thereof, at such times and in such manner as they may request.

When provisions take effect.

Section 2516. This act, so far as it relates to public school libraries established wholly by any school district of the second, third, or fourth class, shall take effect on the first Monday of July, one thousand nine hundred and eleven, at which date the office of all public school library trustees, then serving by appointment of any board of school directors, shall be abolished.

Joint public school library.

Section 2517. Two or more school districts may unite in the establishment or maintenance of a joint public school library, or may aid in the support of a library as herein provided, subject, so far as they are applicable, to the provisions herein prescribed for the establishment and maintenance of joint schools. Trustees. Trustees of such library may be appointed either by the school directors of the districts or by the joint school committee.

ARTICLE XXVI.

AUDITING OF SCHOOL FINANCES.

Mode of audits.

Section 2601. The finances of every school district in this Commonwealth, in every department thereof, together with the accounts of all school treasurers, school depositories, teachers' retirement funds, teachers' institute funds, directors' association funds, sinking-funds, and other funds belonging to or controlled by the district, shall be properly audited as follows:—

First class districts.

Section 2602. In all school districts of the first class, by the school controller therein.

Second and third.

Section 2603. In all school districts of the second and third class, by the two school auditors to be appointed by the court of common pleas of the county in which such districts are located.

Fourth.

Section 2604. In all school districts of the fourth class, by the proper borough or township auditors therein.

Independent districts.

Section 2605. The finances of all independent school districts shall be audited by the proper auditors, herein provided for school districts of the class in which they belong, and where an independent school district of the fourth class is taken from two or more school districts, its accounts shall be audited by the auditors of the school district in which its buildings are located.

Annual institute.

Section 2606. The financial accounts of each annual county or district teachers' institute shall be audited by three auditors, two to be elected by the teachers'

institute and one by the directors' association for a county institute, and by the board of school directors for a district institute.

Directors' association.

Section 2607. The financial accounts of the directors' association shall be audited by the county auditors or county controller.

Statement and accounts.

Section 2608. In order that the aforesaid accounts may be thoroughly and properly audited, it shall be the duty of all boards of school directors and their proper officers, school depositories, county and district superintendents, treasurers of directors' associations, treasurers of teachers' retirement funds, and other proper persons, to furnish to such auditors, whenever required by them for auditing purposes, statements and accounts of all finances of the district, of teachers' institutes or directors' associations, and other funds belonging to or controlled by the district, including assets and liabilities, together with access to all books, records, tax duplicates, vouchers, school orders, pay-rolls, letters, and other matters pertaining to the same.

Powers of auditors.

Section 2609. The several auditors herein provided shall have power, and are hereby authorized, to issue subpoenas to compel the attendance of school officers or other persons whom they may deem necessary to examine as witnesses, and to compel the production of all books, records, vouchers, letters, and papers relating to any accounts being audited by them.

Oaths or affirmations.

Section 2610. The said auditors shall have power to administer oaths or affirmations to all persons appearing before them as witnesses, and any person guilty of testifying falsely in any such examination

Perjury.

shall be guilty of perjury, and be liable for and subject to all the penalties provided therefor.

Disobedience to a subpoena.

Section 2611. In case of disobedience to a subpoena to appear and testify, or to produce any papers, books, records, vouchers, letters, or other written or printed matter, as required by the provisions of this act, the Superintendent of Public Instruction, school controller, or auditors, as the case may be, may invoke the aid of the court of common pleas of the proper county, within whose jurisdiction such hearing is held, or accounts are being audited, to compel compliance with the same; and any such court, in case of contumacy or

Order of court.

refusal to obey a subpoena, may issue its order to such person so refusing to appear and testify, or to produce books, papers, vouchers, or other written or printed matter, and any failure to obey such order of court

Penalty

may be punished by said court as contempt thereof.

Witness fees.

Section 2612. Every witness attending before any auditors in any school district shall receive, out of the funds of the district, to be paid by a proper order drawn on the school treasurer, the same witness fees

and mileage as a witness is allowed in the court of common pleas of the county in which such district is located.

Inspection of school orders.

Section 2613. The auditors herein provided to audit the finances of school districts of the second, third, and fourth class in this Commonwealth, shall carefully inspect every school order issued for the payment of money by the board of school directors, and the accounts of each official or person whose accounts are to be audited in the district for which they are acting as auditors during the period of time covered by their audit. Any school order issued in any other manner or for any other purpose than herein authorized shall, if paid, be disallowed by the auditors, and charged against the person or persons voting for or approving the same, and all such orders disallowed shall be set forth in the report to be made by the several auditors as herein provided, together with such other sum or sums as should be properly charged against any person or persons. Such auditors shall also examine, and report to the proper boards of school directors upon, the sufficiency and the security of the bonds of the officers, employes, and appointees of the boards of school directors and of the school depositories.

Examination of securities.

Notice of surcharge.

Section 2614. In all school districts of the second, third, and fourth class, when any sum is charged against any person, such person shall be notified by the auditors, at or before the time of filing their report, by mail or otherwise, of such fact, setting forth the amount charged against him.

Filing of reports.

Section 2615. In all school districts of the second, third, and fourth class in this Commonwealth, the auditors' report of the finances of the district for the preceding fiscal year, as made by the auditors herein provided, shall be filed with the board of school directors, and entered on the minutes of the board by the secretary thereof.

Section 2616. The provisions of this act, relating to the auditing of school finances, shall begin with the beginning of the first fiscal year following the approval of this act.

SCHOOL DISTRICTS OF THE FIRST CLASS.

School controller.

Audits.

Section 2617. The school controller, herein provided in each school district of the first class, shall properly audit the finances of the school district, including the accounts of the receiver of taxes, city treasurer, or other proper authority collecting school taxes, school treasurer, school depositories, teachers' retirement funds, and all other funds under the control of the Board of Public Education.

Certificate to board.

Section 2618. The school controller shall, at the end of each school year, certify to the Board of Public

Education that he has audited the several accounts above stated, and shall report to it the result of such audit.

Report.

SCHOOL DISTRICTS OF THE SECOND AND THIRD CLASS.

Appointment of auditors.

Section 2619. In every school district of the second and third class in this Commonwealth it shall be the duty of the court of common pleas in the county where such school district is situated, annually, during the month of May, to appoint two competent persons for each of said school districts of the second and third class, within the county, to audit the accounts of said school district. Such auditors may or may not be residents of the school district. Before entering upon the duties of their appointment they shall take and subscribe to the same oath or affirmation as is herein prescribed for school directors.

Oaths.

Audits.

Section 2620. Such auditors shall begin their duties on the first Monday in July each year, and promptly audit the accounts of the school district for which they were appointed, including the accounts of the treasurer, the school depositories, and other school funds, for the preceding fiscal year, in the manner herein provided. On the completion of the audit they shall make a correct duplicate report thereof, which shall contain an itemized statement of all receipts, expenditures, and credits, whatsoever, of school officials, and the assets and liabilities of the district; one copy to be filed with the board of school directors of the district, and the other copy in the court of common pleas to the number and term in which their appointment was made.

Duplicate reports.

Filing.

Advertisement of statement.

Section 2621. The prothonotary of the court in which such report is filed shall advertise a concise summary or statement of the same, including the assets and liabilities of the district, in one newspaper published or generally circulated in such district, once a week for three successive weeks, beginning within a week after the filing of such report, calling attention to the fact that said auditors' report was filed on a date therein stated, and giving notice that the same will be confirmed absolutely unless an appeal is taken therefrom within thirty days after the filing thereof. This section shall also apply to such districts of the fourth class as do not elect auditors, and such auditors as are appointed in school districts of the fourth class shall proceed to audit the school accounts in such districts as provided in this act for school districts of the fourth class.

Fourth class districts.

Appeals.

Section 2622. Any taxpayer in the school district, or party interested, may appeal from any auditors' report in any school district of the second or third class, within thirty days after said report has been filed,

in the same manner as appeals are now taken from a county auditors' report. If an appeal is taken from any report of the auditors of any school district of the second or third class, such appeals shall be disposed of by the court in like manner as appeals from county auditor's reports are disposed of.

Compensation of auditors.

Section 2623. The compensation for auditors appointed by the court, in school districts of the second and third class, shall be fixed by the court at the time the report is filed, not exceeding five dollars ($5.00) per day for each day necessarily spent by each auditor, and the total expense of such auditing, including the cost of making the appointment, filing the report, advertising and other necessary costs, shall be paid by the school district.

Expenses.

In case of surcharge.

Section 2624. If in any report filed by the auditors of any school district of the second or third class there has been any sum charged against any person or persons, upon the confirmation of the auditor's report the amount charged against such person or persons shall become a judgment, and shall be entered by the prothonotary, in favor of the school district, against the person or persons charged therewith, the same to be collected by the school district for its use and benefit.

Judgment.

SCHOOL DISTRICTS OF THE FOURTH CLASS.

Auditors.

Section 2625. In every school district of the fourth class in this Commonwealth, the proper auditors, herein provided to audit the finances of the school district, shall meet annually with the board of school directors, on the first Monday of July, at the time of organization, or within five days thereafter, and carefully audit and adjust the financial accounts of the school district for the preceding school year. At the completion of the audit they shall make a careful statement, in duplicate, of the finances of the district for the preceding year, setting forth the assets and liabilities, and an itemized statement of all receipts, expenditures, and credits whatsoever, of all school officials, and including therein any sums that have been charged against any person or persons,—one copy of which annual statement shall be filed by such auditors with the secretary of the board of school directors, and one in the court of quarter sessions, and a summary thereof, including the assets and liabilities of the school district, shall be published in a newspaper having general circulation in the district, once a week for three successive weeks, beginning the first week after filing the same, or be promptly posted, by not less than six copies, in as many places in the district.

Annual meeting.

Audit.

Itemized statement.

Filing.

Publication.

Posting.

Appeal.

Section 2626. Any taxpayer in the school district, or person interested in any annual report of the auditors, may appeal therefrom, at any time within thirty

days after the filing of the same, to the court of common pleas of the county in which such school district of the fourth class is situated, or in which the school buildings of any independent school district are located, in the same manner as appeals are now taken from the report of the county auditors, and any such appeal shall be disposed of by the court in like manner as appeals from county auditors' reports are disposed of.

In case of surcharge.

Section 2627. In any school district of the fourth class, if any sum is charged against any person or persons by auditors thereof, and their report containing such fact is not appealed from as herein provided, said auditors shall promptly, within thirty days after the filing of such report, make a certificate stating the name of the district, and the name of the person or persons charged with any sum or sums, and the amount or amounts thereof, certifying the same to the prothonotary of the court of common pleas of the county in which the district is situated, or in which the school buildings of the independent district are located; and the prothonotary of said court shall forthwith enter a judgment thereon, in favor of said school district and against the person or persons therein charged with the amount thereof, and, when so entered, the same shall be a valid judgment in favor of the school district against the person or persons charged therein with the same, which judgment, together with costs, shall be collected by said district for its use and benefit.

Certificate.

Judgment.

Compensation of auditors.

Section 2628. The auditors herein required to audit the accounts of the school districts of the fourth class shall be allowed for their services two dollars ($2.00) per day for each day necessarily spent by each of them in the performance of his duty, which, together with the cost of advertising their report, shall be paid by the school district.

Costs.

ACCOUNTS OF TEACHERS' INSTITUTES.

Audits.

Section 2629. The accounts of every annual county or district teachers' institute held in this Commonwealth, as submitted by the superintendent holding the same, shall, within thirty days after the same is held, be properly audited by the auditors herein provided, and a report thereof made to the next annual county or district institute; and a copy of the audit of each annual county institute shall be filed with the secretary of the proper county school directors' association; and a copy of the report of the audit of each annual district institute shall be filed with the secretary of the board of school directors of the district in which it was held.

Report.

Filing.

ACCOUNTS OF SCHOOL DIRECTORS' ASSOCIATIONS.

Section 2630. The account of the treasurer of each county school directors' association in this Commonwealth, as filed with the county treasurer, shall be properly audited by the county auditors or county controller at the same time and in the same manner as the county treasurer's accounts are audited, and a report thereof shall be included in the report made by the county auditors or county controller to the court. Audit. Report.

ARTICLE XXVII.

STATE SCHOOL FUND.

Section 2701. Eighty per centum of the net receipts and proceeds derived in any way from, or on account of, the forest reservations, now or hereafter acquired by this Commonwealth, together with all water-powers and water-rights belonging to this Commonwealth in the streams, rivers, lakes, or other waters of this Commonwealth, and all real estate owned by this Commonwealth which is not used for State or other public purposes, all escheated estates in this Commonwealth, and all other property or money which shall in any way accrue to such fund, whether by act of Assembly, devise, gift, or otherwise, shall belong to and constitute a fund, to be known and designated as "The State School Fund of Pennsylvania", which is to be maintained as herein provided: Provided, however, That the forest reservations shall continue to be wholly under the control of the State Forest Reservation Commission, as now provided by law. How constituted. The State School Fund of Pennsylvania. Proviso.

Section 2702. All real and personal property belonging to the State School Fund shall be wholly under the control and management of the State Board of Education. All net receipts derived in any way from, or on account of, the State forest reservations, or from, or on account of, any real or personal property belonging to the State School Fund, and all other moneys accruing to said fund, shall always be promptly paid to the State Treasurer, and kept by him in a separate account, subject to the disposal of the State Board of Education as herein provided; and the State Treasurer shall deposit said funds in the properly authorized depositories for State funds, and shall add to such funds the interest received from the depositories for the use of the same. All income derived from any investments of the State School Fund shall be paid to the State Treasurer, and kept deposited as herein provided in a separate account, subject to the order of the State Board of Education. The State Treasurer and his bondsmen shall be responsible for the safe-keeping of, and accounting for, said funds, Control and management. Shall be kept in separate account. Income.

in the same manner and under the same penalties as for the safe-keeping of, and accounting for, the other funds of this Commonwealth.

Investments.

Section 2703. The State Board of Education shall promptly invest, and keep invested as constantly as possible, to the best advantage of the State School Fund, all receipts derived from, or on account of, the State forest reservations, and all proceeds from the sales of real estate received by the State Treasurer, together with all appropriations, devises, gifts, and other receipts for this purpose, as a permanent State School Fund, whose income only may be expended. But such investments of the permanent State School Fund may be made only in bonds properly issued by a school district in this Commonwealth, or in municipal bonds in which savings banks of Pennsylvania are authorized by law to invest their deposits, and all such investments must be first approved by the Auditor General.

Income only may be expended.

Approval of Auditor General.

Interest, rentals, etc.

Section 2704. The State Board of Education is hereby authorized to use so much of the interest, rentals, and other income of the said school fund as it deems wise towards equalizing the educational advantages of the different parts of this Commonwealth, and also to use such part of the same as it deems wise to further and promote education in the conservation of natural resources, and education in forestry, agricultural and other industrial pursuits, in the public schools of this Commonwealth. All of the income not thus used shall be annually added to the principal of said fund. The State Board of Education may also lease, sell, or otherwise dispose of, any of the real estate, securities, or other property belonging to the State School Fund, and invest the proceeds thereof in compliance with this act.

Disposal of real estate, securities, etc.

Orders.

Section 2705. So much of the State School Fund as is to be invested or reinvested in any securities, or the income thereof that may be used for any of the purposes herein provided, shall be paid out by a proper order, authorized by the State Board of Education and signed by the president and secretary thereof, drawn on the State Treasurer on said funds, which order shall first be approved by the Auditor General.

Approval of.

Report of the State Treasurer.

Section 2706. The State Treasurer shall report to the State Board of Education, at such times as said board requests, the condition of said fund, and shall in his annual report make an itemized statement of the receipts, disbursements, and amount on hand of said school fund and its incomes. The State Board of Education shall annually make to the Governor and to the Auditor General a complete detailed report of the condition of said fund, including its receipts, expenditures, and investments.

Annual report of the board.

ARTICLE XXVIII.

MISCELLANEOUS SUBJECTS.

Section 2801. No religious or political test or qualification shall be required of any director, visitor, superintendent, teacher, or other officer, appointee, or employee in the public schools of this Commonwealth. No religious or political test.

Section 2802. All fines that are imposed and collected under any of the provisions of this act shall be paid to the treasurer of the proper school district, or, when the proper school district cannot be determined, into the State School Fund. Disposition of fines.

Section 2803. Every person who shall individually, or by or through any agent or representative, directly or indirectly, promise, pay, or give to any school director in this Commonwealth any sum of money or other valuable thing, or make any promise of any office or appointment of any kind, in order to influence or secure the voting for or the appointment of himself, or any other person, as a teacher, county superintendent, district superintendent, assistant superintendent, associate superintendent, tax collector, attendance officer, or to any other position connected with the public schools of this Commonwealth, or for the purpose of having his salary increased while holding any appointment under the provisions of this act, shall be guilty of a misdemeanor, and on conviction thereof before any court may be sentenced to pay a fine of not less than five dollars ($5.00) or more than five hundred dollars ($500.00), and be sentenced to the county jail for not less than thirty (30) days, or more than one year, either or both, at the discretion of the court. Any person so convicted shall thereafter be ineligible to be engaged as a teacher, or to hold any office or appointment provided for by the provisions of this act. Bribery, promises etc. Penalty.

Section 2804. Where, by the provisions of this act, any services or additional services are imposed upon any public official for which no compensation is provided, the board of school directors of the proper district may, unless such service is required to be performed without compensation, pay out of the funds of the district such reasonable compensation for such services or additional services as it may determine, subject to the provisions of this act. Payments for additional services.

Section 2805. In order that any district may receive its share of the State appropriation on account of the minimum salary as required in this act, the president and secretary of the board of school directors of each school district, where any teacher's salary is greater than the corresponding salary paid for the school year beginning on the first Monday of Minimum salaries.

Certificate.

June, one thousand nine hundred and six (1906), shall in each year, on or before the first day of October, certify under oath to the proper county or district superintendent, on blanks prepared by the Superintendent of Public Instruction, the number of teachers, with the salary paid to each, in the year beginning on the first Monday in June, one thousand nine hundred and six (1906), as well as the number of teachers, with the salary of each teacher and the length of the school term in the year for which the report is made.

Number of teachers, etc.

Attendance of pupils at school not in residence district.

Section 2806. All pupils residing in any territory belonging to any school district established by this act, which territory at the time of the approval of this act was attached to another school district for school purposes, may, if they so desire, attend during the entire school term of each year the public schools in the district to which the territory in which they reside was formerly attached, and the district in which they reside shall pay to the district in which they attend the cost of tuition, text-books, and school supplies only, not to exceed that of other pupils pursuing like courses of study in said schools: Provided, That if the school districts in which such pupils now reside shall hereafter, by the establishment of new schools or otherwise, provide within reasonable distance proper school facilities of like grades to those in the district to which they were formerly attached, then, in any such case, such pupils shall attend the schools in the district in which they reside. In case of dispute, the decision of the Superintendent of Public Instruction as to the sufficiency and reasonableness of the school facilities provided by the school district in which such pupils reside shall be final.

Proviso.

In cases of dispute.

First school year.

Fiscal year.

Section 2807. The first school year and the first fiscal year, as herein determined in the several districts as established by this act, shall begin as follows:

First class districts.

In school districts of the first class, on the first day of January, one thousand nine hundred and twelve (1912).

Other districts.

In school districts of the second, third, and fourth class, on the first Monday of July, one thousand nine hundred and eleven (1911).

As existing.

The school year and fiscal year in all school districts, as existing at the time of the approval of this act, shall continue to and end at the time herein fixed for the new school and fiscal year to begin: Provided, That in every school district of the second, third, and fourth class, the school year and the fiscal year which may terminate any time between the first day of January and the first Monday of July, one thousand nine hundred and eleven (1911), shall continue to and terminate on the first Monday of July, one thousand nine hundred and eleven (1911).

Proviso.

Directors' terms extended.

Section 2808. The terms of all school directors in this Commonwealth, expiring on the first Monday of June, nineteen hundred and eleven (1911), shall be, and hereby are, extended until the first Monday of December, nineteen hundred and eleven (1911).

Delivery of possession.

Section 2809. It shall be the duty of every board of school directors of any school district, sub-school district, or ward school district, existing at the time of the approval of this act, and of its proper officers, to deliver to the several boards of school directors herein provided for the several districts established by this act, and entitled to the same, possession of all property, real and personal, including books, records, papers, and accounts, and all other matters pertaining to the school affairs, which shall belong to the several districts established by this act.

Terms of teachers hereafter appointed.

Section 2810. From the date of the approval of this act to the time that the several boards of school directors herein provided for shall have duly organized, no teacher shall be appointed, by any board of school directors in this Commonwealth, for a term extending beyond the close of the school term in one thousand nine hundred and twelve.

Change of text-books, etc.

Section 2811. From and after the approval of this act, it shall not be lawful for the board of education, board of school controllers, or board of school directors, in any school district, sub-school district, or ward school district, to make any change in text-books, to adopt additional text-books, or to contract for any new school site or new school building, if said school district, sub-school district, or ward school district is included in, or forms a part only of, any school district established by this act.

New school sites or buildings.

Levy of school taxes.

Section 2812. The school system in this Commonwealth, existing at the time of the approval of this act, is to continue until the same is superseded by the system established and provided in this act, and all school directors shall levy the school taxes at the time or times and in the manner heretofore fixed by law, and, together with the officers and appointees thereof, shall continue to serve until the directors, officers, and appointees herein provided have been duly elected or appointed and qualified, and have entered upon the performance of their several duties, except as herein otherwise provided. In school districts of the first class, on and after the second Monday of November, and in school districts of the second, third, and fourth class, on and after the first Monday of December, one thousand nine hundred and eleven (1911), only the school directors provided for in this act shall serve in the several districts in which they have been appointed or elected.

Official continuation of service.

Organization of school boards.

Section 2813. Every board of school directors which elected its officers in June nineteen hundred and ten (1910), shall elect a president, secretary, and treasurer, as heretofore, at its first meeting in June, nineteen hundred and eleven (1911), or as soon thereafter as possible. Such organization shall continue until the first Monday of December, nineteen hundred and eleven (1911).

Service of district superintendents.

Section 2814. When a school district in this Commonwealth, as established by this act, is composed of territory that comprised two or more school districts having district superintendents, such district superintendents shall continue to serve until the end of their terms as assistant district superintendents therein, over the territory of which they had supervision as district superintendents; and the board of school directors provided for any such district in this act shall, on the first Monday of January, one thousand nine hundred and twelve (1912), elect a properly qualified person as district superintendent therein, whose term of office shall begin at the time of his election.

Election.

First class districts.

School year.

Section 2815. In every school district of the first class, as established by this act, where the present school year in such district, or in any part thereof, terminates prior to the first Monday of January, one thousand nine hundred and twelve (1912), such school year, together with the contracts of all teachers or other appointees therein, shall be continued to and terminate on the first Monday of January, one thousand nine hundred and twelve (1912).

Real estate.

Section 2816. Any land belonging to any school district at the time of the approval of this act, which is situated within the boundaries of another school district, shall continue to belong to and remain the property of the district owning the same, and shall be vested in the district, hereby established, which succeeds to the rights and property of such district owning such land.

Certificate of delinquent school taxes.

Section 2817. Each certificate which any collector of school taxes makes of delinquent school taxes levied upon real estate, upon which there is no personal property from which the same can be collected, shall be accompanied by the affidavit of the tax collector that, after the proper efforts, he could not find sufficient personal property out of which the said taxes, or any part thereof, could be made or collected as provided by law, which affidavit shall be conclusive as to that fact, in so far as it may affect the lien of said taxes or the title of a purchaser at a sheriff's sale thereunder: Provided, however, That in case any such collector shall make any wilfully false return, he shall be liable therefor to any person or persons injured thereby.

Affidavit.

Liens.

Proviso.

False returns.

Assumption of of contracts, etc.

Section 2818. At the beginning of the first school year as herein provided, after the approval of this act, all the contracts and obligations of any existing school district shall be assumed by the school district succeeding thereto; and all the funds and personal property of any kind, including any funds or appropriation made by any school district or by any municipality for such school district, for the payment of any such contracts and obligations, shall become the property of such district succeeding thereto.

Funds and personal property.

Stipulations in contracts.

Section 2819. All contracts, hereafter awarded and entered into by any school district of the first class, shall contain a clause or stipulation requiring that no person shall be employed to do work under such contract except competent and first-class workmen and mechanics, and no workmen shall be regarded as competent and first-class, within the meaning of this act, except those who are duly skilled in their respective branches of labor, and who shall be paid such rates of wages and for such hours' work as shall be the established and current rates of wages paid for such hours by employers of organized labor in doing of similar work: And provided, moreover, That cut stone to be used in such school district for school buildings shall be cut and prepared in the district in which such buildings are to be erected, and notice of that fact shall be stated in all proposals for the erection of such school buildings and in the contracts with the successful bidder therefor: And provided further, That the cost of cutting and preparation shall not be in excess of the price paid for labor for like work under private contracts in said district.

Proviso.

Cut stone.

Proviso.

Issuing of Permanent certificates.

Section 2820. Nothing in this act shall prevent the issuing of permanent certificates, as now provided by law, prior to the first day of July, one thousand nine hundred and eleven (1911), and such certificates, properly issued, shall continue in force the same as those issued before the approval of this act.

Eligibility to service as superintendent.

Section 2821. Any person otherwise qualified as required by this act, who holds a county permanent certificate, or who has held a professional certificate in any county or school district for the ten years next preceding the approval of this act, shall be eligible to serve as a county, district, or assistant county or district superintendent in the county or district in which such certificate is or becomes permanently valid.

As to right of appeal.

Section 2822. Nothing in this act contained shall be held to preclude the right of appeal in actions arising under this act, from any court wherein such action shall be brought, except as herein otherwise provided.

When act shall take effect.

Section 2823. This act unless otherwise herein specified shall take effect on the day of its approval.

Assumption of bonded indebtedness.

Levy of school tax.

Section 2824. Any school district of the first class assuming any bonded indebtedness of any former school district, sub-school district, or ward school district within its limits, may levy and collect a school tax not to exceed seven mills on the dollar of the total assessment of all property assessed at and certified for taxation therein, until such assumed bonded indebtedness has been paid, after which the school tax levy in such district shall not exceed six mills on the dollar.

REPEALING CLAUSE.

This act of Assembly is intended as an entire and complete School Code for the public school system in this Commonwealth, hereby established in every school district therein, and the following acts or parts of acts, to wit, —

An act to provide for the education of the poor gratis. Approved April 4, 1809 (P. L. 73).

Section 1 of an act concerning the education of German redemptioners who are minors. Approved March 19, 1810 (P. L., 113).

An act to provide for the education of children at public expense, within the city and county of Philadelphia. Passed March 3, 1818 (Recorded in Law Book 16, page 534, chapter 4519), P. L., 53.

An act providing for a general system of education. Approved April 2, 1831 (P. L. 385).

An act to establish a general system of education by common schools. Approved April 1, 1834 (P. L. 170).

A supplement to an act to establish a general system of education by common schools. Passed the first day of April, 1834. Approved April 15, 1835 (P. L., 365).

An act to consolidate and amend the several acts relative to a general system of education by common schools. Approved June 13, 1836 (P. L., 525).

A resolution requiring the president, faculty, and trustees of colleges, and trustees or managers of academies or schools (other than common schools), to make certain reports to the superintendent of common schools. Approved April 1, 1836 (P. L. 842).

A resolution relative to undrawn balances in the school fund. Approved March 27, 1837 (P. L., 401).

A supplement to an act to consolidate and amend the several acts relative to a general system of education by common schools; passed the thirteenth of June, one thousand eight hundred and thirty-six. Approved April 12, 1838 (P. L., 332).

Section 29 of an act to authorize the committee of the estate of Michael Fox, a lunatic, to sell and convey certain real estate, and for other purposes. Approved April 16, 1838 (P. L. 525).

Section 3 of an act to authorize the administrators of Henry Mineum, late of Crawford County, deceased, to sell and convey certain real estate, and for other purposes. Approved July 2, 1839 (P. L., 576).

A further supplement to the act of the thirteenth of June, one thousand eight hundred and thirty-six, entitled "An act to consolidate and amend the several acts relative to a general system of education by common schools, and for other purposes. Approved April 21, 1840 (P. L., 457).

A further supplement to an act, entitled "An act to consolidate and amend the several acts relative to a general system of education by common schools;" passed the thirteenth day of June, one thousand eight hundred and thirty-six, and for other purposes. Approved May 4, 1840 (P. L., 304).

An act supplementary to an act, entitled "An act to consolidate and amend the several acts relative to a general system of education by common schools," and for other purposes. Approved March 18, 1842 (P. L., 124).

An act to provide for the education of the poor in the non-accepting school districts of this Commonwealth, and for other purposes. Approved July 30, 1842 (P. L. 449).

An act supplementary to an act, entitled "An act to provide for the education of the poor in the non-accepting school districts of this Commonwealth, and for other purposes." Approved March 11, 1843 (P. L., 77).

An act relative to certain undrawn balances in the school funds, and for other purposes. Approved April 8, 1843 (P. L., 191).

Section 10 of an act for the relief of the overseers of the poor of the borough of Erie, and for other purposes. Approved April 18, 1843 (P. L., 332).

A further supplement to "An act to consolidate and amend the several acts relative to a general system of education by common schools." Approved April 25, 1844 (P. L., 395).

An act relating to the controllers of the public schools of the city and county of Philadelphia. Approved April 16, 1845 (P. L., 502).

An act relative to public schools. Approved April 11, 1848 (P. L., 526).

An act for the regulation and continuance of a system of education by common schools. Approved April 7, 1849 (P. L., 441).

Section 13 of a supplement to the act for the regulation and continuance of a system of education by common schools; passed April seventh, Anno Domini one thousand eight hundred and forty-nine, to alter the charter of the first Presbyterian church of the borough of Reading; to change the place of holding

election in certain districts, relative to certain school districts, and to the borough of Duquesne in Allegheny County. Approved May 6, 1850 (P. L., 701).

An act authorizing school directors to administer oaths, etc. Approved April 20, 1853 (P. L., 612).

An act relative to common school districts organized since June first, Anno Domini one thousand eight hundred and fifty-one. Approved April 17, 1854 (P. L., 377).

No. 610. An act for the regulation and continuance of a system of education by common schools. Approved May 8, 1854 (P. L., 617).

A supplement to an act, entitled "An act for the regulation and continuance of a system of education by common schools." Approved May 8, 1854 (P. L., 630).

An act consolidating the wards of the city of Pittsburg, for educational purposes. Approved February 9, 1855 (P. L., 10).

A further supplement to an act for the regulation and continuance of a system of education by common schools; approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four. Approved May 8, 1855 (P. L., 532).

An act to separate State and school departments. Approved April 18, 1857 (P. L., 263).

An act declaratory of the powers of the courts of quarter sessions to create independent school districts. Approved May 20, 1857 (P. L., 587).

An act relative to the abolition of independent school districts created or continued by the courts. Approved May 20, 1857 (P. L., 588).

A supplement to an act for the regulation and continuance of a system of education by common schools. Approved May 21, 1857 (P. L., 631).

All of sections Nos. one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, seventeen, eighteen, and nineteen, being all excepting section sixteen of a further supplement to an act, entitled "An act for the regulation and continuance of a system of education by common schools," approved the eighth day of May, one thousand eight hundred and fifty four. Approved April 11, 1862 (P. L., 471).

An act relative to the term of office of school directors. Approved April 22, 1863 (P. L., 523).

An act to promote the establishment of district and school libraries. Approved May 5, 1864 (P. L., 826).

A further supplement to an act for the regulation and continuance of a system of education by common schools, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, relative to district institutes. Approved April 17, 1865 (P. L., 60).

A further supplement to an act for the regulation and continuance of a system of education by common schools, for changing the time of making the triennial

returns by the county commissioners. Approved April 17, 1865 (P. L., 61).

An act supplementary to an act for the regulation and continuance of a system of education by common schools; approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four. Approved April 17, 1865 (P. L., 62).

A supplement to an act for the regulation and continuance of a system of education by common schools; approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four. Approved March 26, 1866 (P. L., 88).

A further supplement to an act for the regulation and continuance of a system of education by common schools; approved the eighth day of May, one thousand eight hundred and fifty-four. Approved April 9, 1867 (P. L., 51).

An act to confer upon the courts of quarter sessions of this Commonwealth power to annex the land, or parts thereof, of persons resident in one district, to another district for school purposes. Approved April 13, 1867 (P. L., 80).

An act relative to non-accepting school districts. Approved April 9, 1868 (P. L., 76).

An act consolidating the wards of the city of Pittsburg, for educational purposes. Approved February 12, 1869 (P. L., 150).

An act, entitled "An act to confer upon the courts of quarter sessions of this Commonwealth power to annex the land, or parts thereof, of persons resident in one district, to another for school purposes," approved April thirteen, one thousand eight hundred and sixty-seven. Approved April 20, 1869 (P. L., 80).

An act relating to the collection of school tax in all school districts of the Commonwealth of Pennsylvania. Approved April 21, 1869 (P. L., 87).

An act of the courts of common pleas of this Commonwealth, to authorize school directors to borrow money. Approved April 21, 1871 (P. L., 241).

An act to prevent frequent changes in school-books. Approved May 26, 1871 (P. L., 280).

A supplement to an act, approved April ninth, one thousand eight hundred and sixty-seven, entitled "A further supplement to an act for the regulation and continuance of a system of education by common schools." Approved June 15, 1871 (P. L., 390).

An act to increase the length of school term. Approved April 9, 1872 (P. L., 46).

An act to repeal the proviso of an act giving power to the courts of common pleas of this Commonwealth to authorize school directors to borrow money. Approved April 7, 1873 (P. L., 64).

Sections numbers forty-one, forty-two, forty-three, and forty-four of an act dividing the cities of this

State into three classes; regulating the passage of ordinances providing for contracts for supplies and work for said cities; authorizing the increase of indebtedness and the creation of a sinking-fund to redeem the same; defining and punishing certain offences in all of said cities; and providing for the incorporation and government of cities of the third class. Approved May 23, 1874 (P. L., 230).

An act to prevent school directors from assessing or collecting a building tax during the pendency of proceedings in court. Approved June 13, 1874 (P. L., 284).

An act to amend an act to confer upon the courts of quarter sessions of this Commonwealth power to annex the land, or parts thereof, of persons resident in one district, to another district for school purposes, approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-seven, so as to allow the annexation of lands in a township or borough to a city containing less than ten thousand inhabitants. April 17, 1876 (P. L., 38).

An act to regulate the publication of the accounts and financial statements of school boards. Approved May 1, 1876 (P. L., 91).

An act to provide for the instruction of indigent blind children between the ages of nine and thirteen years, in the public schools of this Commonwealth. Approved the 8th day of May, A. D. 1876.

An act to authorize the establishment of schools for the education of deaf mutes, in certain cases. Approved the 8th day of May, A. D. 1876.

A supplement to an act, entitled "An act declaring what offices are incompatible," approved the fifteenth day of May, Anno Domini eighteen hundred and seventy-four. Approved May 18, 1876 (P. L., 179).

An act regulating the terms of school directors, and fixing the time for the organization of the several subdistrict boards, in cities of the second class. Approved March 24, 1877 (P. L., 44).

An act prescribing the mode of fixing the salaries of county superintendents of common schools. Approved April 29, 1878 (P. L., 33).

A supplement to an act, approved the seventeenth day of April, Anno Domini one thousand eight hundred and seventy-eight, providing for the division of counties having one hundred and fifty thousand inhabitants, and the erection of new counties therefrom, and providing for the election of a county superintendent of common schools. Approved April 25, 1879 (P. L., 32).

An act granting power to school districts in this Commonwealth, which have issued bonds, certificates, or other evidences of indebtedness, to redeem the same before or after maturity, with the consent of the hold-

ers thereof, and issue new bonds at the same or a lower rate of interest. Approved May 10, 1881 (P. L., 16).

An act to authorize the several boards of school directors of this Commonwealth, except in cities of the first second and third class, to refund any indebtedness of their respective school districts at a lower rate of interest, and declaring bonds or certificates, heretofore issued for such purpose, valid. Approved May 26, 1881 (P. L., 34).

An act requiring the school directors of the several school districts of this Commonwealth to allow the school teachers the time and wages whilst attending the annual county institutes, and prescribing certain duties of the county and city superintendents respecting the same. Approved June 7, 1881 (P. L., 50).

An act to authorize the courts of quarter sessions of this Commonwealth to annul and set aside decrees annexing the land, or parts thereof, of persons resident in one township or borough, to another township or borough, for school purposes. Approved June 8, 1881 (P. L., 69).

A further supplement to the school laws of this Commonwealth, and to abolish all distinction of race or color in the public schools thereof. Approved June 8, 1881 (P. L., 76).

A further supplement to an act, approved April ninth, one thousand eight hundred and sixty-seven, entitled "A further supplement to an act for the regulation and continuance of a system of education by common schools," approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four. Approved June 10, 1881 (P. L., 97).

An act in relation to the establishment of joint schools for parts of districts of different counties adjoining each other. Approved June 10, 1881 (P. L., 116).

An act empowering the State Superintendent to issue permanent certificates to teachers in cities of the fourth class. Approved May 22, 1883 (P. L., 36).

An act to provide, at the public expense, free evening schools, for the education of the children of this Commonwealth who from any cause are unable to attend the public schools. Approved May 22, 1883 (P. L., 37).

An act relating to permanent certificates of teachers in the common schools. Approved June 22, 1883 (P. L., 156).

An act relating to the study of physiology and hygiene in the public schools of the Commonwealth and educational institutions receiving aid from the Commonwealth. Approved April 2, 1885 (P. L., 7).

A supplement to an act, approved June tenth, one thousand eight hundred and eighty-one, entitled "A

further supplement to an act, approved April ninth, one thousand eight hundred and sixty-seven, entitled 'A further supplement to an act for the regulation and continuance of a system of education by common schools,' approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four.'" Approved May 7, 1885 (P. L., 15).

An act authorizing school directors and controllers to purchase school-books out of the district funds. Approved June 25, 1885 (P. L., 173).

An act relating to the principals and teachers of public, high and normal schools of the Commonwealth of Pennsylvania. Approved June 25, 1885 (P. L., 175.)

An act prescribing the number of days that shall constitute a school-month, providing that all schools shall be closed on Saturdays, legal holidays, and during the holding of the annual county institute. Approved June 25, 1885 (P. L., 176).

An act authorizing and requiring boards of school directors and controllers to pay the teachers employed in the public schools of the several districts for attendance upon the sessions of the annual county institutes in their respective counties. Approved April 13, 1887 (P. L., 20).

A further supplement to an act, entitled "An act for the regulation and continuance of a system of education by common schools," approved the eighth day of May, one thousand eight hundred and fifty-four, so as to enable certain school districts to establish, maintain, and operate a public high school. Approved May 13, 1887 (P. L., 104).

An act to extend the minimum school term to six months. Approved May 19, 1887 (P. L., 139).

An act amending an act, entitled "A further supplement to an act for the regulation and continuance of a system of education by common schools," approved April ninth, Anno Domini one thousand eight hundred and sixty-seven, authorizing cities and boroughs which have elected superintendents and employ no less than seventy-five teachers to hold separate teachers' institutes. Approved May 24, 1887 (P. L., 196).

An act authorizing the directors or controllers of any school district to enter upon lands held or owned by any county, but not used nor occupied for public purposes, to erect thereon public school buildings, to occupy sufficient ground for that purpose, and to provide for ascertaining and paying the damages for such use and occupancy. Approved April 4, 1889 (P. L., 25).

A supplement to an act, entitled "A further supplement to an act, entitled 'An act for the regulation and continuance of a system of education by common

schools,' approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, so as to enable certain school districts to establish, maintain, and operate a public high school," approved the thirteenth day of May, one thousand eight hundred and eighty-seven. Approved April 25, 1889 (P. L., 53).

A supplement to an act, entitled "An act to provide, at the public expense, free evening schools, for the education of the children of this Commonwealth who from any cause are unable to attend the public schools. Approved May 7, 1889 (P. L., 110).

A supplement to an act, entitled "A further supplement to an act, entitled 'An act for the regulation and continuance of a system of education by common schools,' approved the eighth day of May, one thousand eight hundred and fifty-four, so as to enable certain school districts to establish, maintain, and operate a public high school," approved the thirteenth day of May, one thousand eight hundred and eighty-seven. Approved May 8, 1889 (P. L., 124).

An act requiring public school directors to be sworn or affirmed before entering upon their duties. Approved April 16, 1891 (P. L., 2).

An act authorizing the courts of quarter sessions in certain cases to annul and vacate orders and decrees annexing lands, or parts thereof, of persons resident in one township or borough, to a city for school purposes. Approved June 2, 1891 (P. L., 172).

An act relative to the admission and instruction of children of soldiers of the late war of the rebellion in the common schools of districts outside of those in which their parents, guardians, or others entitled to their custody, may reside. Approved April 18, 1893 (P. L., 23).

An act to prevent county superintendents of common schools from engaging in the profession of teaching during their term of office, unless it shall be done without compensation. Approved April 25, 1893 (P. L., 24).

An act to provide for the election, qualification, and compensation of auditors in the independent school districts of this Commonwealth. Approved May 10, 1893 (P. L., 41).

An act to amend the first section of an act, entitled "An act authorizing school directors to purchase books out of the district fund," approved June twenty-fifth, one thousand eight hundred and eighty-five, by requiring school directors or controllers to furnish school-books and other school supplies free of cost. Approved May 18, 1893 (P. L., 93).

An act to amend an act, entitled "An act prescribing the mode of fixing the salaries of county superintendents of common schools," approved the twenty-

ninth day of April, Anno Domini one thousand eight hundred and seventy-eight, amending first section thereof by fixing the minimum salaries to be paid said superintendents. Approved May 23, 1893 (P. L., 121.)

An act to amend the first section of an act, entitled "A further supplement to an act, entitled 'An act for the regulation and continuance of a system of education by common schools,' approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, so as to enable certain school districts to establish, maintain, and operate a public high school," so as to enable boroughs, not divided into wards for school purposes, to establish, maintain, and operate public high schools. Approved May 26, 1893 (P. L., 146).

An act to authorize the courts of common pleas to appoint a competent person to inspect schoolhouses, on complaint of taxable citizens of any school district in which boards of school directors or controllers have failed to provide and maintain proper and adequate school accommodations for the children who are lawfully entitled to school privileges in the district, and prescribing a penalty for neglect of duty on the part of school boards. Approved June 6, 1893 (P. L., 330.)

An act to require boards of school directors and controllers to provide for the better protection of the health and morals of school children in their respective school districts. Approved June 6, 1893 (P. L., 339).

An act authorizing and regulating the taking, use and occupancy of certain public burial-places, under certain circumstances, for purposes of common school education. Approved June 6, 1893 (P. L. 243).

An act authorizing and empowering the school boards of townships or school districts within the Commonwealth to provide for a supply of water therein, by contract, for fire and sanitary purposes, and to locate fire-plugs near the school buildings. Approved June 24, 1895 (P. L., 245).

An act to promote cleanliness and healthfulness in and about the public schools of this Commonwealth. Approved June 24, 1895 (P. L., 254).

An act providing for the adjustment of all indebtedness and property rights between the school districts of a township and the school district or districts of one or more boroughs erected in whole or in part from such township; also providing for the adjustment of the indebtedness and property rights of school districts in the case of a township changed or merged into one or more boroughs. Approved June 24, 1895 (P. L., 259).

An act to authorize school directors in the various school districts of this Commonwealth to qualify each

other before entering upon the duties of their offices, and to certify the same. Approved June 25, 1895 (P. L., 284).

An act to amend the act, entitled "An act authorizing and regulating the taking, use and occupancy of certain public burial-places, under certain circumstances, for purposes of common school education," approved the sixth day of June, one thousand eight hundred and ninety-three, so as to more clearly define what is meant by the words "for the purposes of common school education," and to enlarge the scope thereof, and also so as to permit, under certain circumstances, the taking of one acre instead of one-half acre for such purposes, and further, also, to expedite condemnation proceedings in such case. Approved June 25, 1895 (P. L., 292).

An act to provide for the opening, improvement, enlargement, use, care, and protection of school and other grounds for public park and recreation purposes, in the cities and boroughs of the Commonwealth, by the joint or several action of school boards, city and borough authorities, corporations, societies, associations, or individuals. Approved June 26, 1895 (P. L., 331).

An act for the establishment of free public libraries in the several school districts of the Commonwealth, except in cities of the first and second class. Approved June 28, 1895 (P. L., 411).

An act to regulate the establishment, classification, and maintenance of high schools, the distribution of appropriations in aid of high schools, and the employment of teachers in high schools receiving State aid. Approved June 28, 1895 (P. L., 413).

An act amending an act, entitled "An act amending an act, entitled 'A further supplement to an act for the regulation and continuance of a system of education by common schools,' approved April ninth, Anno Domini one thousand eight hundred and sixty-seven, authorizing cities and boroughs which have elected superintendents, and employ no less than seventy-five teachers, to hold separate teachers' institutes," approved May twenty-fourth, Anno Domini one thousand eight hundred and eighty-seven, fixing the number of teachers necessary for separate institute at not less than fifty. Approved June 28, 1895 (P. L., 415).

An act to amend section twelve of an act, approved the ninth day of April, Anno Domini one thousand eight hundred and sixty-seven, and entitled "A further supplement to an act for the regulation and continuance of a system of education by common schools." approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, authorizing the appointment of a committee by the Superintendent of

Public Instruction to examine applicants for teachers' permanent certificates. Approved June 28, 1895 (P. L., 417).

An act to amend section one of an act, entitled "An act relative to the admission and instruction of children of soldiers of the late war of the rebellion in the common schools of districts oustide of those in which their parents, guardians, or others entitled to their custody may reside," approved the eighteenth day of April, Anno Domini one thousand eight hundred and ninety-three. Approved June 2, 1895 (P. L., 434).

A supplement to an act, entitled "An act for the establishment of free public libraries in the several school districts of this Commonwealth, except in cities of the first and second class," approved the twenty-eighth day of June, Anno Domini one thousand eight hundred and ninety-five, authorizing school districts to aid free public libraries otherwise established. Approved March 30, 1897 (P. L., 10).

An act authorizing school directors or controllers of the several school districts of this Commonwealth to establish and maintain, out of the public school treasury, free kindergartens, for the children between the ages of three and six years, residing in their districts. Approved April 4, 1897 (P. L., 22).

An act providing the manner by which independent school districts of this Commonwealth, established by act of Assembly or by courts of quarter sessions, may be abolished. Approved May 12, 1897, (P. L., 55).

An act to amend the thirty-third section of an act, entitled "An act for the regulation and continuance of a system of education by common schools," approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, extending and defining the purposes for which a special school tax, not exceeding the amount of the regular annual tax authorized to be levied by directors or controllers in cities or boroughs, when the school property is vested in them, may be applied. Approved May 26, 1897 (P. L., 94).

An act to further amend the first section of an act, entitled "An act authorizing school directors to purchase school-books out of the district fund," approved June twenty-fifth, one thousand eight hundred and eighty-five, as amended by an act, approved the eighteenth day of May, one thousand eight hundred and ninety-three, by requiring school directors or controllers to allow the school children to have the use of the books furnished them by the board any time during vacation between regular school terms, and providing that the teachers of such school shall possess a valid certificate issued by the Superintendent of Public Schools. Approved June 7, 1897, (P. L., 131).

An act to authorize school directors and controllers to provide transportation for school children, at the

expense of the district, to the public schools of the districts in which they reside, or to the schools of neighboring districts. Approved June 22, 1897, (P. L., 181).

An act to authorize the employment of teachers of stenography and typewriting in the common schools, without requiring them to possess teachers' certificates in the usual form. Approved June 23, 1897 (P. L., 193).

An act providing for the purchase and display of United States' flags in connection with the public school buildings of the State. Approved July 9, 1897 (P. L., 233).

An act to provide a more just and equitable method of distributing the school appropriation to common schools, and specifying the duties of officers in connection therewith. Approved July 15, 1897 (P. L., 271).

An act to authorize and empower the school directors and controllers of the several school districts within this Commonwealth to levy and collect a per capita tax annually, for school purposes. Approved July 22, 1897 (P. L., 305).

An act providing for the payment of school directors for attending the triennial convention for the election of county superintendents, and for the punishment of candidates who pay directors' expenses. Approved March 18, 1899 (P. L., 11).

An act to extend the minimum school term to seven months. Approved April 4, 1899 (P. L., 31).

An act to empower the school directors of the several townships of the Commonwealth of Pennsylvania to exercise the powers of a board of health in each township, to make rules and regulations to prevent the spread of contagious or infectious diseases, to appoint and fix compensation of a sanitary agent, and requiring all practicing physicians to report to the secretary of the board of school directors, in each township, the names and residences of all persons, coming under their professional care, afflicted with such contagious or infectious diseases. Approved April 11, 1899 (P. L., 38).

An act to amend an act, entitled "An act authorizing central boards of education, in cities of the second class, to establish and maintain schools for instruction in the mechanic arts and kindred subjects," approved the twenty-fifth day of June, Anno Domini one thousand eight hundred and eighty-five, as amended by an act of May twenty-first, one thousand eight hundred and ninety-five, entitled "An act authorizing central boards of education, in cities of the second class, to establish and maintain schools for instruction in the mechanic arts and kindred subjects, approved the twenty-fifth day of June, Anno Domini one thousand eight hundred and eighty-five, so as to extend the provisions thereof to cities of the third class," so as to extend the benefits and pro-

visions of the said act to boroughs and townships of the first class. Approved February 25, 1901 (P. L., 10).

An act to admit to the public schools, where there is building capacity, the inmates of orphan asylums and homes for poor and friendless children, upon the payment of a reasonable tuition. Approved March 22, 1901 (P. L., 55).

An act authorizing school boards to grant the use of school houses for lyceum and other literary purposes. Approved April 11, 1901 (P. L., 78).

An act entitled an act to amend an act, entitled "An act authorizing the school directors or controllers of the several school districts of this Commonwealth to establish and maintain, out of the public school treasury, free kindergartens for children between the ages of three and six years, residing in their districts." Approved April 23, 1901 (P. L., 93).

An act to provide for the centralization of township schools, and to provide high schools for townships. Approved April 25, 1901 (P. L., 105).

An act relating to night schools, for the manual training of children above the age of twelve years. Approved May 11, 1901 (P. L., 176).

A further supplement to an act, entitled "An act for the establishment of free public libraries in the several school districts of this Commonwealth, except in cities of the first and second class," approved the twenty-eighth day of June, Anno Domini one thousand eight hundred and ninety-five; authorizing the school directors, boards or organizations having control of the common schools of any district, to divide and distribute public libraries among the schools of the district. Approved May 11, 1901 (P. L., 179).

An act to amend an act, entitled "An act for the establishment of free public libraries in the several school districts of this Commonwealth, except in cities of the first and second class," approved the twenty-eighth day of June, Anno Domini one thousand eight hundred and ninety-five. Approved May 11, 1901 (P. L., 180).

An act to amend an act, entitled "An act to amend an act, entitled 'An act describing the mode of fixing the salaries of county superintendents of common schools,' approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and seventy-eight, amending the first section thereof by fixing the minimum salaries to be paid said superintendents," and prescribing the mode of fixing salaries above the minimum and below the maximum. Approved May 17, 1901 (P. L., 262).

An act to amend an act, entitled "A further supplement to an act for the regulation and continuance of a system of education by common schools, approved

the eighth day of May, Anno Domini one thousand eight hundred and fifty-four," approved the ninth day of April, Anno Domini one thousand eight hundred and sixty-seven. Approved May 21, 1901 (P. L., 269).

An act to authorize the school directors of townships having a population of over four thousand inhabitants to employ one person, holding a permanent certificate or diploma issued by a State Normal School of this Commonwealth, as supervising principal of the schools of said township, at a salary to be fixed by said board. Approved June 25, 1901 (P. L., 598).

An act to amend an act, entitled "An act to provide for the centralization of township schools, and to provide high schools for townships," approved April twenty-fifth, one thousand nine hundred and one. Approved June 26, 1901 (P. L., 600).

An act relating to school districts in townships, and boroughs erected therefrom. Approved February 5, 1903 (P. L., 4).

A supplement to an act, entitled "An act for the establishment of free public libraries in the several school districts of this Commonwealth, except in cities of the first and second class," approved the twenty-eighth day of June, Anno Domini one thousand eight hundred and ninety-five, authorizing school districts to join in the establishing and maintaining free public libraries or to join in aiding those otherwise established. Approved April 11, 1903 (P. L., 133).

An act to provide for ascertaining whether an undue proportion of real estate and school-houses is within a school district, which has been or shall hereafter be enlarged by annexation of a part or parts of a township or townships to a borough, and how much money shall be paid therefor, by the enlarged district to the old district or districts. Approved April 3, 1903 (P. L., 142).

An act permitting children residing in school districts having graded public schools or graded courses of study to attend public schools of higher grades or courses of study, including high schools, in other districts, under terms and conditions to be agreed upon by the school directors of the districts interested. Approved April 3, 1903, (P. L., 153).

An act regulating the minimum salary of school teachers in the Commonwealth of Pennsylvania, where school districts receive State appropriation. Approved April 9, 1903 (P. L., 162).

An act to protect the public health, and prevent the spread of infectious and contagious diseases in this Commonwealth. Approved April 14, 1903 (P. L., 172).

An act to establish county associations of school directors. Approved April 21, 1903 (P. L., 227).

An act relating to the collection of school taxes in boroughs and townships in this Commonwealth; requiring collectors to make monthly statements to secretary

of the school board of amounts collected, dates and names of parties from whom collected, and to pay said taxes monthly to treasurer; and providing for meeting of school directors and tax collector; and for the collection and payment of all school taxes to treasurer, on or before first Monday in June in each year; and prescribing a penalty for the violation of the same. Approved April 21, 1903 (P. L., 229).

An act providing the manner by which independent school districts of this Commonwealth, established by act of Assembly or the courts of quarter sessions, may be abolished, and providing for the disposition of the school property of such district. Approved April 22, 1903 (P. L., 237).

An act to designate the number of school directors to be elected in the several boroughs of the Commonwealth, not divided into wards; to provide for their election, and for the filling of vacancies, and to fix the length of term for which they shall serve. Approved April 23, 1903 (P. L., 271).

An act permitting children residing in school districts in which no public high school is maintained to attend a high school in some other district, located near their homes, and providing for the payment of costs for tuition and school-books. Approved March 16, 1905 (P. L., 40).

An act to provide a system of humane education, to include kind treatment of birds and animals, in our public schools. Approved March 27, 1905, (P. L., 60).

An act to amend sections one and two of an act entitled "An act to establish county associations of school directors," approved the twenty-first day of April, Anno Domini one thousand nine hundred and three. Approved April 10, 1905 (P. L., 139).

An act to regulate the time of holding city teachers' institutes. Approved April 20, 1905 (P. L., 228).

An act to amend the third section of an act, entitled "An act for the establishment of free public libraries in the several school districts of the Commonwealth, except in cities of the first and second class," approved the twenty-eighth day of June, Anno Domini one thousand eight hundred and ninety-five; providing that the tax levy for the purchase, improvement, and maintenance of such libraries shall be made upon the same subjects of taxation as are assessed for school purposes, and shall be included in the school tax levy. Approved April 20, 1905 (P. L., 231).

An act to classify the school districts of the Commonwealth of Pennsylvania. Approved April 22, 1905 (P. L., 272).

An act for the purpose of governing the construction of public school buildings, in order that the health, sight, and comfort of all pupils may be properly protected. Approved April 22, 1905 (P. L., 282).

An act regulating the election of secretaries, by school boards in boroughs and townships. Approved April 22, 1905 (P. L., 285).

A supplement to an act entitled "An act for the regulation and continuance of a system of education by common schools," approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four; authorizing the increase of the number of school directors in cities within the provisions of the said act, and authorizing their election by wards; and also providing for the appointment, by the court of common pleas of the counties in which said cities are located, of directors to fill any vacancy which shall occur until the next succeeding municipal election. Approved May 4, 1905 (P. L., 388).

An act to establish county associations of school directors, and providing for the payment of certain expenses incident thereto by the respective school districts and counties of the Commonwealth. Approved March 22, 1907 (P. L., 27).

An act to establish schools for adults, including foreigners, and providing for the instruction and employment of teachers for the same. Approved April 15, 1907 (P. L., 69).

An act to prohibit the taking, by condemnation or otherwise, for public school purposes, without the owners' consent, any land used or owned by any church or religious society, college or other educational institution. Approved April 25, 1907 (P. L., 122).

A supplement to an act, entitled "An act for the establishment of free public libraries in the several school districts of this Commonwealth, except in cities of the first and second class," approved the twenty-eighth day of June, Anno Domini one thousand eight hundred and ninety-five; authorizing school districts of the townships and boroughs adjoining cities of the third class to join in establishing and maintaining free public libraries, or to join in aiding those otherwise established. Approved May 1, 1907 (P. L., 151).

An act to permit children who reside one and one-half miles or more, by public road, from the nearest school in the district where they reside, to attend any more convenient school in any other district, without the consent of the directors or controllers of the district where they reside or where they may attend, and making the district where they reside liable to the district where they attend for the cost of tuition. Approved May 2, 1907 (P. L., 158).

An act authorizing and requiring the Superintendent of Public Instruction to use the return of the number of children between six and sixteen years of age in the several school districts in each county, now required to be made by the county commissioners to

the Superintendent of Public Instruction, by an act approved the eleventh day of July, Anno Domini nineteen hundred and one (Pamphlet Laws, page six hundred and sixty-two), a basis for the distribution of one-third of the State appropriation to schools. Approved May 8, 1907 (P. L., 183).

An act to repeal an act empowering the courts of common pleas of this Commonwealth to authorize school directors to borrow money, approved April twenty-one, Anno Domini eighteen hundred and seventy-one, and validating bonds issued in non-compliance with said act. Approved May 10, 1907 (P. L., 195).

An act to amend an act, approved the sixteenth day of March, Anno Domini nineteen hundred and five, entitled "An act permitting children, residing in school districts in which no public high school is maintained, to attend a high school in some other district, located near their homes, and providing for the payment of cost of tuition and school-books, making clearer the reckoning of the cost of tuition and school-books, and the township or borough high school which said children may attend. Approved May 23, 1907 (P. L., 202).

An act supplementary to an act, entitled "An act relating to school districts and townships, and boroughs created therefrom," approved the fifth day of February, Anno Domini nineteen hundred and three, by providing manner of certifying and returning votes cast in such districts. Approved May 23, 1907 (P. L., 228).

A supplement to an act, entitled "An act to regulate the establishment, classification, and maintenance of high schools, the distributions of appropriations in aid of high schools, and the employment of teachers in high schools receiving State aid, approved June twenty-eight, Anno Domini eighteen hundred and ninety-five; authorizing the directors of adjacent townships or school districts to purchase real estate and erect buildings for joint high schools, and to issue bonds for said purpose; and providing for the formation of high school boards to control and manage said schools." Approved May 29, 1907 (P. L., 319).

An act providing for better sanitation of schoolrooms, relative to heat and ventilation. Approved May 29, 1907 (P. L., 320).

An act regulating the entrance of beginners into the public schools of Pennsylvania. Approved May 31, 1907 (P. L., 331).

An act fixing the salaries of common school teachers, in districts of this Commonwealth receiving State appropriation, at no less than forty dollars per month where teacher holds a provisional certificate, and at

not less than fifty dollars per month in all cases where the teacher holds a professional, permanent, or normal school certificate, and has had two years' experience, and obtained a certificate of proficiency in practice from the superintendent in charge of said teacher, and providing payment by the State for the increase of salary. Approved May 31, 1907 (P. L., 336).

An act to prevent frequent changes in school-books, in cities of the second and third class. Approved May 3, 1878 (P. L., 44).

An act to prohibit members of boards of school control, in cities of the third class, from holding any office of emolument under, or being employed by, said board. Approved June 11, 1885 (P. L., 108).

An act to require the secretary of board of school control, in cities of the third class, to give a bond for the faithful performance of his duty. Approved June 25, 1885 (P. L., 173).

An act amending an act, entitled "A further supplement to an act for the regulation and continuance of a system of education by common schools," approved April ninth, Anno Domini eighteen hundred and sixty-seven; authorizing cities of the third class to hold separate teachers' institutes. Approved June 26, 1885 (P. L., 192).

An act constituting each city of the third class a single school district, providing for the election of its school controllers, the levy and collection of taxes, and management of its affairs. Approved May 23, 1889 (P. L., 274).

An act to amend the forty-first section of an act, entitled "An act dividing the cities of this State into three classes; regulating the passage of ordinances; providing for contracts for supplies and work for said cities; authorizing the increase of indebtedness and the creation of a sinking-fund to redeem the same; defining and punishing certain offenses in all said cities; and providing for the incorporation and government of cities of the third class," approved the twenty-third day of May, Anno Domini one thousand eight hundred and seventy-four, in respect to the representation in boards of school controller therein provided for. Approved June 16, 1891 (P. L., 306).

An act to amend an act, entitled "An act authorizing central boards of education, in cities of the second class, to establish and maintain schools for instruction in the mechanic arts and kindred subjects," approved the twenty-fifth day of June, Anno Domini eighteen hundred and eighty-five, so as to extend the provisions thereof to cities of the third class. Approved May 21, 1895 (P. L., 86).

An act providing that territory annexed to any city of the third class shall constitute a part of the school

district of such city of the third class. Approved June 24, 1895 (P. L., 239).

An act to provide for levying school and school building taxes on the city valuation, in cities of the third class, where the school district comprises the same territory as the city. Approved May 25, 1897 (P. L., 85).

An act to amend an act, entitled "An act authorizing central boards of education, in cities of the second class, to establish and maintain schools for instruction in the mechanic arts and kindred subjects," approved the twenty-fifth day of June, Anno Domini eighteen hundred and eighty-five, as amended by an act of May twenty-first, eighteen hundred and ninety-five, entitled "An act authorizing central boards of education, in cities of the second class, to establish and maintain schools for instruction in the mechanic arts and kindred subjects, approved the twenty-fifth day of June, Anno Domini eighteen hundred and eighty-five, so as to extend the provisions thereof to cities of the third class," so as to extend the benefits and provisions of the said act to boroughs and townships of the first class. Approved February 25, 1901 (P. L., 10).

An act to amend an act, entitled "An act to amend an act, entitled 'An act authorizing central boards of education in cities of the second class, to establish and maintain schools for instruction in the mechanic arts and kindred subjects, approved the twenty-fifth day of June, Anno Domini eighteen hundred and eighty-five,' as amended by an act of May twenty-first, eighteen hundred and ninety-five, entitled 'An act authorizing central boards of education, in cities of the second class, to establish and maintain schools for instruction in the mechanic arts and kindred subjects, approved the twenty-fifth day of June, Anno Domini eighteen hundred and eighty-five, so as to extend the provisions thereof to cities of the third class,' so as to extend the benefits and provisions of the said act to boroughs and townships of the first class," so as to enlarge the powers conferred upon such school authorities by said acts, by adding the power to establish and maintain schools for athletics. Approved March 24, 1905 (P. L., 52).

A supplement to an act, entitled "An act for the establishment of free public libraries in the several school districts of this Commonwealth, except in cities of the first and second class," approved the twenty-eighth day of June, Anno Domini eighteen hundred and ninety-five; authorizing school districts of townships and boroughs adjoining cities of the third class to join in establishing and maintaining free public libraries, or to join in aiding those otherwise established. Approved May 1, 1907 (P. L., 151).

An act empowering boards of school directors, boards of school controllers, and central boards of education,

in school districts of the second and third class, to establish and administer a teachers' retirement fund. Approved May 23, 1907 (P. L., 222).

Sections numbers twenty, twenty-one, twenty-two, and twenty-three of an act, entitled "A further supplement to an act to amend an act to incorporate the city of Philadelphia." Approved February 2, 1854 (P. L., 21).

An act to provide for the control, administration, and support of the common school in school districts of the first class. Approved April 22, 1905, (P. L., 267).

An act to establish and regulate the affairs of school districts and sub-districts in cities of the second class, and to repeal all local and special laws inconsistent therewith. Approved July 3, 1895 (P. L., 588).

An act to provide for the attendance, and for reports of attendance, of the children in the schools of this Commonwealth; for the enumeration of the children for that purpose, and providing compensation for the persons making such enumeration; for the appointment of attendance officers, defining their powers and duties and providing for their compensation; for giving the boards of school controllers, where they exist, or school directors under certain conditions, power to designate the school to which pupils offending under this act shall be sent; for the establishment and maintenance of special schools; defining truancy and incorrigibility as disorderly conduct, and providing penalties for the same; and providing for the disposition of truant and incorrigible children; and providing penalties for the violation of any provisions of this act; and providing for reports of employers of children; and withholding a part of the State appropriation from school districts not enforcing this act; and for the repeal of the compulsory acts of May sixteenth, one thousand eight hundred and ninety-five, and July twelfth, one thousand eight hundred and ninety-seven, and all other acts or parts of acts inconsistent herewith. Approved July 11, 1901 (P. L., 658).

An act to provide for the control, administration, and support of the common schools in school districts of the first class. Approved April 22, 1905 (P. L., 272).

An act authorizing and requiring the Superintendent of Public Instruction to use the return of the number of children between six and sixteen years of age in the several school districts in each county, now required to be made by the county commissioners to the Superintendent of Public Instruction, by an act approved the eleventh day of July, Anno Domini nineteen hundred and one (Pamphlet Laws, six hundred and sixty-two), as a basis for the distribution of one-third of the State appropriation to schools. Approved May 8, 1907 (P. L., 183).

An act to amend section one of an act, entitled "An act to provide for the attendance, and reports of attendance, of the children in the schools of this Commonwealth; for the enumeration of the children for that purpose, and providing compensation for the persons making such enumeration; for the appointment of attendance officers, defining their powers and duties, and providing for their compensation; for giving the boards of school controllers, where they exist, or school directors under certain conditions, power to designate the school to which pupils offending under this act shall be sent; for the establishment and maintenance of special schools; defining truancy and incorrigibility as disorderly conduct, and providing penalties for the same; and providing for the disposition of truant and incorrigible children; and providing penalties for the violation of any provisions of this act; and providing for reports of employers of children; and withholding a part of the State appropriation from school districts not enforcing this act; and for the repeal of the compulsory attendance acts of May sixteen, eighteen hundred and ninety-five, and July twelfth, eighteen hundred and ninety-seven, and all other acts or parts of acts inconsistent herewith," approved the eleventh day of July, nineteen hundred and one; providing that the act shall not apply to any child between the ages of fourteen and sixteen years who can read and write the English language, and is regularly engaged in any useful employment or service. Approved May 29, 1907 (P. L., 314).

An act to amend sections two, three, and five of an act, entitled "An act to provide for the attendance, and for reports of attendance, of the children, in the schools of this Commonwealth; for the enumeration of the children for that purpose, and providing compensation for the persons making such enumeration; for the appointment of attendance officers, defining their powers and duties, and providing for their compensation; for giving the boards of school controllers, where they exist, or school directors under certain conditions, power to designate the school to which pupils offending under this act shall be sent; for the establishment and maintenance of special schools; defining truancy and incorrigibility as disorderly conduct, and providing penalties for the same; and providing for the disposition of truant and incorrigible; and providing penalties for the violation of any provisions of this act; and providing for reports of employers of children; and withholding a part of the State appropriation from school districts not enforcing this act; and for the repeal of the compulsory acts of May sixteenth, eighteen hundred and ninety-five, and July twelfth, eighteen hundred and ninety-seven, and all other acts or parts

of acts inconsistent herewith," approved the eleventh day of July, nineteen hundred and one; declaring the employment of any child, not in attendance at school as provided in the act, by any person, firm, or corporation, a misdemeanor, and providing the penalties upon conviction thereof; authorizing the attendance officer to enter any place wherein any gainful occupation is carried on, to ascertain whether any such child is employed therein, and to inspect such places, and the records required by law to be kept therein with respect to the employment of children; providing penalties for refusing to permit such inspection; authorizing the dismissal from employment of such children, and giving the child dismissed an appeal from the decision of the school authorities to the court of quarter sessions; further declaring the powers and duties of attendance officers, with respect to the truant and incorrigible children; and providing for proceedings against parties violating the provisions of this act. Approved May 29, 1907 (P. L., 321).

An act to amend section one of an act, approved the eleventh day of July, Anno Domini nineteen hundred and one, entitled "An act to provide for the attendance, and for reports of attendance, of the children in the schools of this Commonwealth," providing that certificate of age, and ability to read and write the English language intelligently, be issued by the superintendent of schools, notary public, justice of the peace, or any other person duly authorized to administer oaths, in cities and boroughs, and by the secretary of the school board in rural districts. Approved April 10, 1905, (P. L., 131).

An act to recognize Lincoln University, located in Chester County, as an additional State normal school. Approved May 11, 1874 (P. L., 134).

An act permitting independent school districts to share in the distribution of appropriations for borough high schools. Approved April 23, 1909 (P. L., 158).

An act to amend an act, entitled "An act to authorize the co-operation of cities of the third class, school districts thereof, and incorporated library associations therein, for the erection and maintenance of free public libraries," approved May twenty-second, Anno Domini one thousand nine hundred and one, so as to establish a maximum and minimum rate of tax levy for maintenance of such libraries. Approved April 27, 1909 (P. L., 246).

An act extending and conferring upon independent school districts contiguous to cities and boroughs the corporate powers, authorities, and franchises conferred upon townships of the first class in and by section seven of the act, entitled "An act to provide

for the classification of townships of the Commonwealth with respect to their population into two classes, and to prescribe the form of government for townships of each class," approved April twenty-eighth, one thousand eight hundred and ninety-nine (Pamphlet Laws, one hundred and four), and its supplements and amendments, and investing the execution of such powers, authorities, and franchises in the board of school directors of such independent school districts. Approved May 3, 1909 (P. L., 390).

An act authorizing township school districts which entirely surround a city or borough to acquire, in such city or borough, lands, and to erect thereon buildings for high school purposes, and exempting property so acquired from taxation by such city, borough, or school district thereof, and authorizing such township school directors to enter upon and occupy sufficient ground for such high school purposes, and providing for the determination of damages done and suffered by the owners of the land, by reason of the taking thereof for such high school purposes. Approved May 6, 1909 (P. L., 461).

An act establishing interstate comity in teachers' licenses, by authorizing the endorsement and validation in Pennsylvania of Normal School diplomas and permanent certificate granted in other States of the Union. Approved May 11, 1901 (P. L., 184).

An act for the control, administration, and support of the common schools in school districts of the first class. Approved April 22, 1905 (P. L., 267).

A supplement to an act, entitled "An act for the establishment of free public libraries in the several school districts of this Commonwealth, except in cities of the first and second class," approved June twenty-eighth, eighteen ninety-five, authorizing school districts to aid free public libraries otherwise established. Approved March 30, 1897 (P. L., 10).

An act relating to the controllers of the public schools of the city and county of Philadelphia. Approved April 16, 1845 (P. L., 502).

Section No. 35 of an act regulating election districts, and for other purposes. Approved April 7, 1848 (P. L., 365).

An act relative to public schools. Approved April 11, 1848.

An act prescribing the manner of filling vacancies in boards of school directors in cities of the first class. Approved May 5, 1887, (P. L., 78).

An act to provide for the commencement of the term of school directors in cities of the first class, and to regulate their number, manner of election, and term of service, and providing for the appointment of members of the Board of Education for new wards. Approved June 8, 1891 (P. L., 223).

An act supplement to an act, entitled "An act consolidating the wards of the city of Pittsburg, for educational purposes. Approved July 9, 1855. And the acts supplementary thereto. Approved March 31, 1868 (P. L., 530).

An act relative to the collection of school tax in the borough of Coatesville in the county of Chester. Approved May 18, 1871, (P. L., 901).

An act relative to the Somerset school district. Approved May 1, 1861 (P. L., 524).

An act authorizing the citizens of the borough of Mercer to erect a union schoolhouse in said borough. Approved May 13, 1856 (P. L., 574).

Together with any and all other acts of Assembly, general, special or local, or parts thereof, that are in any way in conflict or inconsistent with this act, or any part thereof, shall, at the time of the taking effect of this act, be and the same are hereby repealed.

Approved the 18th day of May, A. D. 1911.

JOHN K. TENER,

The foregoing is a true and correct copy of the Act of the General Assembly No. 191.

Secretary of the Commonwealth.

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